

Policy/Program Memorandum 169

Date of Issue: July 28, 2023

Effective: January 1, 2024

Subject: Student Mental Health

Application:

Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Mental Health Leaders
Principals of Secondary Schools
Principals of Elementary Schools
Director of Education, Consortium Centre Jules-Léger

Purpose

The Ministries of Education and Health are committed to working collaboratively to build a continuum of mental health and addictions care across schools, community-based child and youth mental health providers, and hospitals that is coordinated, comprehensive and responsive to the needs of each and every student.^[1]

The purpose of this memorandum is to outline requirements for school boards and school authorities, and the Consortium Centre Jules-Léger^[2] to provide culturally responsive, evidence-informed student mental health promotion, prevention and early intervention services that respect students as complex individuals and provide appropriate supports for their diverse needs. As well, this memorandum outlines the importance of school boards working within the broader provincial system of care to help provide clear pathways to and from more intensive community and hospital-based mental health services, when needed.

Good mental health is foundational to achievement. Students who report feeling mentally well, are more ready to learn, feel a stronger sense of belonging at school, and perform better academically. Substance use prevention programs and supports can also help improve student performance, participation, and overall well-being. The well-being of others such as school staff, family, and other students may also have an impact on student mental health and should be acknowledged as an important factor in supporting student mental health and wellness.

The *Education Act* makes it clear that all partners in the education sector have a role to play in enhancing student achievement and well-being and authorizes the Minister to establish policies and guidelines respecting student mental health, including respecting the use of learning materials relating to student mental health and require boards to comply with the policies and guidelines.^[3]

Schools are an ideal place for mental health promotion, the prevention of mental health issues, and the early identification of mental health concerns through school-based intervention services. Schools provide students with the knowledge and skills to be aware of, care for, and advocate for their own mental health and well-being.

Mental health and addictions services and supports need to adhere to trauma-informed practices, that are culturally responsive, and respect students as complex individuals and providing appropriate supports for their diverse needs.

Context

Roadmap to Wellness: A Plan to Build Ontario's Mental Health and Addictions System (<https://www.ontario.ca/page/roadmap-wellness-plan-build-ontarios-mental-health-and-addictions-system>) is the government's plan to build a comprehensive and connected mental health and addictions system that recognizes the needs of Ontario's diverse population including children and youth. Implementing the roadmap requires a whole-of-government approach. This policy/program memorandum (PPM) supports the government's commitment to develop a mental health and addictions system that makes high quality services available for people throughout their lifetime.

Vision Statement for Student Mental Health in Ontario

Students have the knowledge and skills to understand and support their mental health and have access to high quality mental health and addiction services that provide appropriate supports for their complex and individual needs when and where they need them across the provincial mental health continuum of care.

Requirements for School Boards

1. Three-Year Mental Health and Addictions Strategy and One-Year Action Plan

Every school board must develop and implement a three-year mental health and addictions strategy and one-year action plan that includes at a minimum, a comprehensive framework that includes the requirements outlined in this PPM and how each component will be evaluated and measured. The board's mental health and addictions strategy and action plan must be made publicly available on its website by June 30th of the prior school year and reflect input from key partners including students, families and local community-based child and youth mental health providers.

The Ministry will provide a template to school boards on an annual basis to report on the implementation status of the PPM requirements, to be submitted by June 30th, with a copy of the board's three-year mental health and addictions strategy and one-year action plan.

2. Joint Local Planning with Community-based Child and Youth Mental Health Providers

The work of joint local planning is to support school boards and community-based child and youth mental health lead agencies implementation of a coordinated mental health care system in local communities. This includes:

- Establishing and sharing relevant information between organizations including standardized partnerships, protocols and processes (e.g., Memorandum of Understanding);
- Making the best use of mental health resources in each community by clarifying roles and responsibilities at each tier of service and communicating about the available capacity of local community-based child and youth agencies
- Establishing clear pathways to/through/from mental health care services for students who require services outside of the school setting; and
- Coordinating outreach and engagement with students and their families who may face barriers to accessing mental health care.

To further the vision of "one system of care"^[4] where mental health services across sectors place children, young people, and their families within the centre of care, it is the Ministry of Education's expectation that school board leadership (e.g., Superintendents with Responsibility for Mental Health and Mental Health Leaders) actively engage with and collaborate in local planning that is related to student mental health and wellness. A description of this collaboration should be detailed and posted on the website in the school board's one-year action plan and the key outcomes achieved must be provided to the Ministry of Education through the Annual School Mental Health Survey.

Overall, school boards, Mental Health Leaders, and schools should engage with other interrelated sectors and service delivery partners as needed, as part of system planning efforts (e.g., hospitals, public health units, local Indigenous partners through Indigenous Education Councils and communities, addictions and substance use prevention organizations, cultural and faith-based organizations, organizations addressing gender-based violence, youth advocacy groups).

3. Multi-Tiered System of Supports

School boards will utilize a Multi-Tiered System of Supports^[5] approach to deliver school-based mental health services. This structure helps to establish priorities, clarify roles, and ensure service coordination and quality. A Multi-Tiered System of Supports structure includes a continuum of services: mental health promotion, early identification, prevention and early intervention, and service pathways / clinical support for more intensive mental health needs.

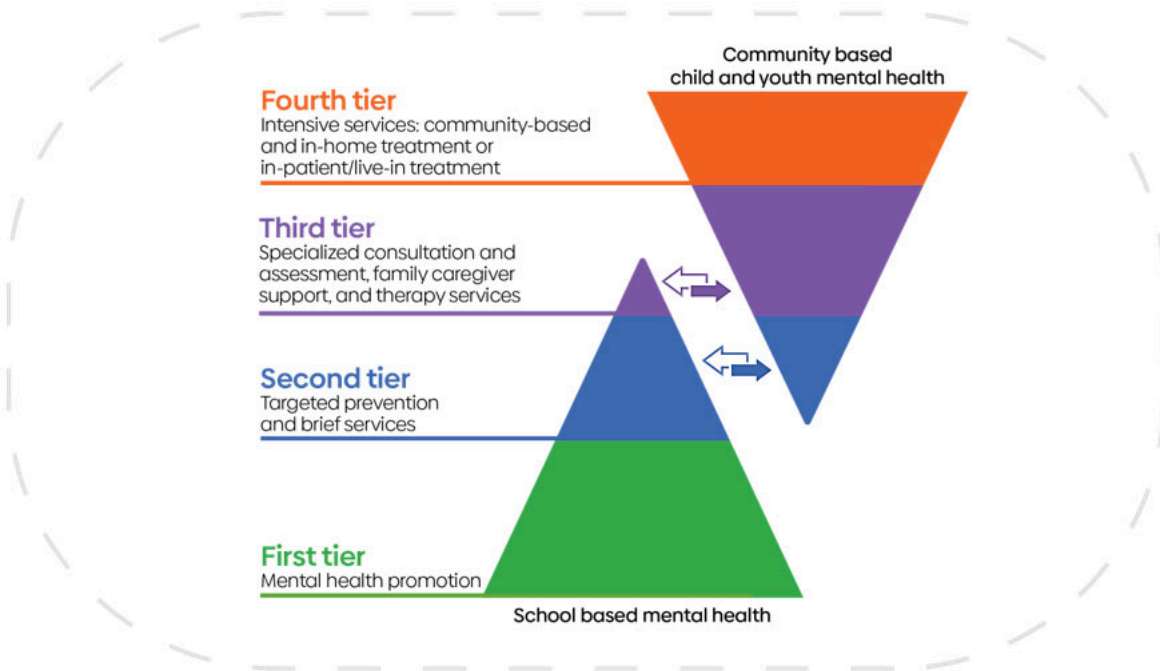


Figure 1: Integrated Tiered System of Care

4. Consistent Use of Evidence-informed Brief Interventions^[6] and Standardized Measurement

Regulated school mental health professionals will utilize evidence-informed brief interventions and standardized measurement tools that align with their scope of practice and regulatory colleges' obligations for privacy and reporting. This will allow for opportunities to maximize the best use of resources and meet students' goals of improved mental health in the school setting. Additionally, the interventions and measurement tools are to be compliant with applicable legislation, such as the *Personal Health Information Protection Act, 2004 (PHIPA)*.

5. Suicide Prevention, Intervention and Postvention Protocols

All school boards will work with their local community mental health and healthcare partners, including Indigenous partners and communities to regularly update and enhance their board's suicide prevention, intervention and postvention protocols. All school administrators and educators, including guidance teacher-counsellors, must have working knowledge of these protocols and know how to reach out for help immediately on behalf of students.

6. Virtual Care Delivery

When possible, school boards should use an in-person mode of delivery for mental health supports. Remote mental health services using a virtual care platform can be used/offered when it is the most appropriate or accessible delivery vehicle to meet student needs. School boards must use and ensure that the providers of mental health prevention and early intervention services are using a virtual care solution that meets provincial standards for I&T solutions to support the safety and security of students and other board users, is compliant with applicable legislation, such as the *PHIPA* for providing mental health services and aligns with the provider's scope of practice and regulatory colleges' obligations for privacy and reporting. It is recommended that virtual care solutions with video and/or secure messaging functionality are verified solutions on the Ontario Health Verified Virtual Visits Solution List (<https://www.ontariohealth.ca/system-planning/digital-standards/virtual-visits-verification/verified-solutions-list>), which ensures solutions meet provincial standards for privacy, security and functionality.

7. Enhanced Educator and Staff Mental Health Literacy

School boards will support learning and share evidence-informed resources on mental health and addictions with educators and school staff, including guidance teacher-counsellors, so that they can embed mental health promotion and substance use prevention into the education experience for students and help to foster safe, and welcoming environments.

8. Mandatory Mental Health Literacy Learning for Students

School boards will implement ministry-approved, teacher-led and culturally responsive mental health literacy learning modules for students in Grades 7 and 8 that respect the individual and diverse needs of students and ensure consistency in mental health literacy learning across the province. The modules will be aligned with the existing curriculum expectations in the Grades 7 and 8 Health and Physical Education

curriculum. Students will learn about mental health and mental illness and build awareness of the impact of stigma associated with mental illness. In preparation for the transitions that come with adolescence, students will continue building strategies for supporting their mental health, including self-care strategies to maintain good mental health and to know where and when to seek help.

9. Family Mental Health Literacy and Awareness

Parents and families play a critical role in supporting the mental health of students and should be involved in their children's mental health journey when possible. In support of meaningful engagement with families, school boards will make available culturally responsive family mental health literacy resources to ensure that families have access to high quality information about how best to notice and respond when their child may be struggling with their mental health, reduce the stigma that surrounds mental health and mental illness, and provide appropriate supports for their child's individual needs. This includes educational and engagement opportunities for families through school community outreach efforts.

10. Social-Emotional Learning

Social-emotional learning skills help students foster overall health and well-being, good mental health, and support the ability to learn and thrive. The social-emotional learning skills that are embedded in the Ontario curriculum include: identification and management of emotions, recognizing sources of stress and coping with challenges, maintaining positive motivation and perseverance, building healthy relationships, developing self-awareness and confidence, and thinking critically and creatively.

As emerging research shows the impact that the evaluation of social-emotional learning skills can have on particular groups of students (e.g., Black, Indigenous, racialized students, male students, students with disabilities and students experiencing other socio-demographic disadvantages), educators are not to assess, evaluate or report on the overall expectations related to social-emotional learning skills in the Ontario curriculum. It is the ministry's expectation that instruction of the social-emotional learning skills will continue.

11. Mental Health Absences

Emphasizing the importance of self-care and prioritizing mental health can allow for more open conversations amongst students, parents, and teachers. If students are unable to attend school due to a mental health concern, their absence must be excused under s. 21(2)(b) ("by reason of sickness or other unavoidable cause") of the *Education Act*.

Implementation

School Mental Health Ontario (SMH-ON) is the Ministry of Education's implementation partner for student mental health. SMH-ON does this through the development and implementation of made-in-Ontario, evidence-informed mental health promotion and prevention resources, programs, and professional learning for classroom educators, school administrators, and regulated school mental health professionals. School boards are expected to work closely with SMH-ON to support the provision of evidence-informed approaches to school-based mental health promotion, prevention and early intervention.

Similarly, the Knowledge Institute on Child and Youth Mental Health and Addictions, partners with the Ministry of Health, the community-based child and youth mental health sector and SMH-ON to share knowledge, build capacity, and create connections to help improve mental health and addictions services for children and youth and their families.

Both organizations are key partners in supporting the implementation of quality mental health services for students and their families across the care continuum.

The implementation of this memorandum should consider the intersections of student mental health with other ministry PPMs including but not limited to:

- Policy/Program Memorandum 81: Provision of health support services in school settings (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-81>);
- Policy/Program Memorandum 119: Developing and implementing equity and inclusive education policies in Ontario schools (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-119>);
- Policy/Program Memorandum 144: Bullying prevention and intervention (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-144>);
- Policy/Program Memorandum 149: Protocol for partnerships with external agencies for provision of services by regulated health professionals, regulated social service professionals, and paraprofessionals (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-149>);

- Policy/Program Memorandum 151: Professional activity days devoted to provincial education priorities
(<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-151>)

The Ministry of Education expects all decisions that support student mental health and well-being to be made in accordance with this PPM and applicable laws, including the Ontario *Human Rights Code*, and with school board collective agreements. Where any direction of the PPM conflicts with these requirements, the applicable laws and collective agreement provisions prevail.

Roles and Responsibilities

Ministry of Education

The Ministry of Education provides guidance, funding, and implementation support to school boards to help promote student mental health. The ministry also works with other partner ministries such as the Ministry of Health to support a more systematic approach to children's mental health and to make the best possible use of resources across the continuum of mental health care.

Ministry of Health

The Ministry of Health has the provincial policy mandate for the overall mental health and addictions system. In March 2020, the ministry released *Roadmap to Wellness*, Ontario's mental health and addictions strategy. The Mental Health and Addictions Centre of Excellence at Ontario Health is responsible for implementing *Roadmap to Wellness* with guidance and funding from the Ministry of Health. The ministry also provides strategic program management and fiscal oversight of community-based child and youth mental health programs and services under the authority of the *Child, Youth and Family Services Act, 2017*. The Ministry of Health collaborates with the Ministry of Education to support a more integrated system of mental health care for students.

School Boards

School boards are responsible for a number of activities including but not limited to administering the funding they receive from the province for their schools, hiring teachers and other staff including mental health professionals, supervising the operation of schools and their teaching programs, and ensuring schools operate in accordance with the *Education Act* and its regulations.

Community-based Child and Youth Mental Health Agencies

Community-based child and youth mental health agencies deliver a range of mental health services to children and youth up to the age of 18, and their families. Services are primarily based on a set of provincially defined child and youth mental health "core services," ranging from prevention services, counselling, and therapy to intensive and specialized services.

Children and Youth Mental Health (CYMH) Lead Agencies

CYMH Lead Agencies are child and youth community-based mental health agencies which are also accountable for planning the delivery of core services in their area and which work with the health, education, and child welfare sectors, including hospitals, schools, and Children's Aid Societies, to better coordinate services and supports for young people. The CYMH Lead Agency Consortium is a group that represents all 31 Lead Agencies and provides them the opportunity to collaborate, address common challenges, and share information on promising practices, as well as provide coordinated advice to the Ministry of Health.

Public Health Units

Ontario's 34 Public Health Units offer healthy living programs and disease prevention information for individuals across the lifespan. As a requirement under *The Ontario Public Health Standards: Requirements for Programs, Services, and Accountability (Standards)*, (https://www.health.gov.on.ca/en/pro/programs/publichealth/oph_standards/protocolsguidelines.aspx) boards of health are required to consider mental health promotion under four different program standards: Chronic Disease Prevention and Well-Being, Healthy Growth and Development, School Health, and Substance Use and Injury Prevention. Under the *Mental Health Promotion Guideline, 2018*, and *School Health Guideline, 2018* (https://www.health.gov.on.ca/en/pro/programs/publichealth/oph_standards/protocolsguidelines.aspx#guidelines), boards of health shall develop and implement a program of public health interventions using a comprehensive health promotion approach to improve the health of school-aged children and youth.

Superintendent with Responsibility for Mental Health

The Superintendent with Responsibility for Mental Health provides overall strategic direction in the area of student mental health and ensures this work is communicated and aligned throughout the school board. System and school leaders establish the conditions for quality, consistency and sustainability in school mental health.

Mental Health Leaders

Every school board employs a Mental Health Leader to provide leadership within their school board for student mental health. Mental Health Leaders collaborate with school board staff and community mental health partners to promote a proactive, integrated system of care, with clear pathways to/from/through service for students requiring mental health supports.

Mental Health Leaders are experienced, regulated mental health clinicians who are accountable for developing and implementing their school board's three-year mental health and addictions strategy, one-year action plan, and the collection, utilization and reporting of information related to student mental health.

Regulated School Mental Health Professionals

Regulated school mental health professionals, including social workers, psychologists, and psychotherapists support students with mild to moderate mental health concerns and provide brief evidence-informed early interventions. For students with more intensive mental health concerns, regulated school mental health professionals will refer students to community-based child and youth mental health services. However, regulated school mental health professionals will support students with intensive mental health concerns and/or students in crisis, as appropriate, when intensive mental health services are not readily available in the community.

Non-regulated School Mental Health Professionals (Student Support Staff)

Non-regulated school mental health professionals, (e.g., child and youth workers) support all students in the classroom or in small groups with evidence-informed mental health literacy and universal mental health promotion activities.

Mental Health and Addictions Nurses in Schools

Mental Health and Addictions Nurses in Schools are employees of Home and Community Care Support Services who provide early intervention, system navigation, and therapeutic strategies that address specific mental health and addiction needs for students. The program consists of specialized nurses working in the community and in schools to assist students who have various mental health challenges.

Educators

Educators are well-positioned to teach all students about mental health. Mental health and well-being is included in the Program Planning section for all Ontario curriculum. In addition, there are mental health related expectations included in various elementary and secondary Curricula. Educators are at the center of creating mentally healthy, and welcoming classroom environments and notice students about whom they may have a concern and know how to respond to those observations. Educators are aware of the pathways to support available in their school when they do notice a student about whom they are concerned.

Guidance Teacher-Counsellors

Guidance teacher-counsellors support career counselling as well as student well-being and make connections to supports for student mental health.

Data Collection, Monitoring and Evaluation

The collection and use of data and evidence to monitor and evaluate student mental health and addictions needs and progress will identify where gaps may exist. Data and evidence will inform both the Ministry of Education and school boards that the supporting conditions for student mental health and well-being in schools have been established.

School boards are required to annually report to the Ministry of Education on their activities to achieve the requirements outlined in this memorandum and to use data to inform their three-year mental health and addictions strategy and one-year action plan. The EDU Annual School Mental Health Survey will be comprised of questions that capture information about mental health supports and services provided by school boards, mental health literacy instruction for students, and collaboration with community-based child and youth mental health providers. Data collected pertaining to Indigenous students is expected to follow principles of ownership, control, access, and possession (OCAP).

Review Process

To ensure information and practices related to student mental health and addictions are current and evidence-informed, this PPM will be reviewed every five years.

Appendix A: Glossary of Terms

Mental health

is the state of an individual's psychological and emotional well-being. It is a necessary resource for living a healthy life and a main factor in overall health. It does not mean the same thing as mental illness. However, poor mental health can lead to mental and physical illness. Good mental health allows you to feel, think and act in ways that help you enjoy life and cope with its challenges.^[7]

Mental illness

is defined as alterations in thinking, mood or behaviour associated with significant distress and impaired functioning in one or more areas such as school, work, social or family interactions or the ability to live independently.^[8]

Addiction

is a complex process where problematic patterns of substance use or behaviours can interfere with a person's life. Addiction can be broadly defined as a condition that leads to a compulsive engagement with a stimuli, despite negative consequences. This can lead to physical and/or psychological dependence. Addictions can be either substance related (such as the problematic use of alcohol or drugs) or process-related, also known as behavioural addictions (such as gambling or internet addiction). Both can disrupt an individual's ability to maintain a healthy life.^[9]

Substance Use and Mental Health

When mental health issues and substance abuse occur together, they are called concurrent disorders. Mental health issues and substance abuse problems occur on a continuum, and a concurrent disorder emerges when they intersect at any point. For example, a person might use alcohol to cope with feelings of anxiety or use drugs to cope with symptoms of Attention Deficit Hyperactivity Disorder.^[10]

Mental Health Promotion: Providing universal supports for all students (Tier 1) -

This is the foundational everyday work that educators and school staff do within and beyond the curriculum to welcome and include students, to understand them, to build knowledge of mental health, to promote mentally healthy habits and to partner with families, students and other staff to create a supportive environment. Most of the mental health work in schools is at this level.^[11]

Prevention and Early Intervention: Targeted evidence-informed help for students requiring additional support (Tier 2) -

In school, there will be some students who may need additional support.. Educators and school staff can help by reinforcing skills and working to remove barriers to learning. Regulated school mental health professionals and others with specialized skills provide intervention services, like school-based brief interventions.^[12]

Intervention and Pathways to Care: Bridging and crisis management support for students who require more intensive treatment and access to services from community partners (Tier 3) -

Although it will always be necessary for regulated school mental health professionals to provide some level of intensive services (because students cannot or will not access outside supports, and to manage crisis events as they arise), it is the role of school mental health professionals to help students access appropriate community or health services and to provide needed ongoing care while students are at school.^[13]

Intensive services for community-based and/or in-home treatment or in-patient/live-in treatment (Tier 4) -

These services are provided by community-based mental health agencies or hospitals for students with the most intense and complex mental health challenges. The role of regulated school mental health professionals is to support student referrals to Tier 4 services, support case management/coordinate with other services the student may require, and support students' reintegration back to the school environment.^[14]

School-based Brief Interventions

is an approach to mental health services, delivered in schools that is systematic, brief and evidence-informed for students experiencing mild to moderate mental health concerns. It can be provided to individuals or in small groups.^[15]

Measurement-based Care

is the routine, systematic use of validated measures, such as patient-reported symptom-rating scales, before or during each clinical encounter to inform decision-making about treatment.^[16]

Trauma-Informed Practice

recognizes the signs and symptoms of trauma, realizes the extensive impact of traumatic stress on individuals and communities, responds by integrating knowledge of trauma into the program or service, and actively resists the re-traumatization of clients and staff.^[17]

Culturally Responsive

is an approach to mental health learning, supports and services that considers students' intersecting social and cultural identities. This approach recognizes that students may respond differently to mental health learning, supports and services and that these differences may be connected to a student's background, language, family structure, and social or cultural identities. This approach also emphasizes that educators and school leaders reflect on their own biases and analyze how their own identities and experiences affect how they view, understand, and interact with all students.^[18]

Policy/Program Memorandum 168

Date of Issue: July 28, 2023

Effective: September 1, 2023, until revoked or modified

Subject: Reading Instruction and Early Reading Screening

Application: Directors of Education and Supervisory Officers of School Authorities
Principals of Elementary Schools
Principals of Provincial and Demonstration Schools
Centre Jules-Léger Consortium

Purpose

The purpose of this memorandum is to provide direction to school boards^[1] on the requirement for Ontario's publicly funded schools^[2] to complete annual early reading screenings for all students^[3] in Year 2 of Kindergarten through Grade 2.

Early reading screening is a process of assessing a student's foundational reading in the early years of school. It involves administering a series of measures to identify students who may be at-risk for reading difficulties. Early reading screening is used to inform educators as they provide instruction and further intervention supports to students.

This memorandum also outlines direction to school boards regarding the requirement of protected time for reading instruction in Grades 1 to 3.

Introduction

Reading is a basic and essential skill that impacts students' lifelong success. In school, reading is a fundamental skill that impacts learning in all other subject areas. All students are capable of reading with adequate evidence-based support. This includes students with disabilities or special education needs and those who are French or English language learners.

Early reading screening supports early identification of risks in students' foundational reading skills, which, if not quickly and appropriately addressed, can be linked to future difficulties with fundamental literacy skills. Early reading screening data can also inform educational policies and decisions related to reading instruction, including improvements to the implementation of reading programs at the grade, school, and system levels.

On February 28, 2022, the Ontario Human Rights Commission (OHRC) released its Right to Read inquiry report.^[4] The report included detailed recommendations regarding early reading screening^[5], indicating that "when screening happens early, schools can identify struggling and at-risk readers to provide early and targeted intervention. [...] Screening identifies at-risk young readers who are behind on foundational reading skills, and prevents them from developing later reading difficulties and dealing with the associated lifelong consequences of failing to learn to read. That is why early screening is critical for catching students before they fall behind."^[6] The OHRC's inquiry report includes information about recommended practices for early reading screening, such as when, how often and which screening tools should be used in Ontario schools.

The Ministry of Education is acting on the OHRC's recommendations related to early reading screening with this early reading screening policy.

PPM 155: Diagnostic Assessment in Support of Student Learning does not apply to early reading screening and early reading screening does not replace classroom-based assessments. Classroom-based assessment plays an important role in instruction, as outlined in *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools (2010)* (<https://www.ontario.ca/page/growing-success-assessment-evaluation-and-reporting-ontario-schools-kindergarten-grade-12>), and remains subject to PPM 155.

This memorandum must be implemented in alignment with collective agreements. Where there is a conflict between the memorandum and a collective agreement, the collective agreement prevails.

Principles of early reading screening and recommended practices

The following section outlines principles of early reading screening and recommended practices informed by contemporary research.

Evidence-Based Early Reading Screening Tools

According to contemporary research, an evidence-based early reading screening tool is one that identifies students who may have future difficulties with reading. Effective early reading screening tools are comprehensive and will assess each foundational reading skill against a

benchmark, have good psychometric properties (i.e., reliability and validity), aggregate student data, and provide immediate information so it can be used by teachers to inform instruction.

An evidence-based early reading screening tool, when used consistently, can also provide comparable data on the strengths and areas of need in early reading on a system-level.

Recommended Practices for Early Reading Screening

In early childhood, student learning thrives in environments where all students are inspired to succeed and can see themselves reflected in the program as well as their physical surroundings. Environments where the diverse identities and abilities of all students are recognized can allow them to feel engaged in, and empowered by, their learning experiences. An awareness of being valued and respected – of being seen as competent and capable – by the educator builds sense of self and belonging and contributes to well-being, enabling students to be more engaged in learning.

Early reading screening measures the foundational reading skills required for reading proficiency – such as identifying letters, sounds, and their relationships, as well as decoding words and reading text – using tools that are valid, reliable and developmentally appropriate.

Objective assessment of foundational reading skills is essential for all students, but particularly for groups that have historically faced systemic barriers. Research suggests that systemic barriers, such as streaming-like practices, begin as early as kindergarten and can alter the trajectory for a student's overall success in school, possibly affecting future pathways. Systemic barriers have historically impacted disproportionate numbers of Black, Indigenous, and other racialized students as well as students with disabilities. Early reading screening should be completed in a way that is non-discriminatory, and respectful and reflective of the diversity of Ontario's student population. It should not contribute to systemic barriers such as streaming. Assessment that is rooted in culturally responsive and relevant pedagogy, (<https://www.dcp.edu.gov.on.ca/en/assessment-evaluation/crrp-ae>) as well as understanding how teacher bias could impact assessment, can support the best outcomes for all students.

Early reading screening should be used in conjunction with classroom-based assessments, including observations of and conversations with students about their learning. Early reading screening should not be the sole method used to determine if a student requires special education programs and/or services, nor should it be used to identify and determine the placement, program, and services for English or French language learners. Decisions regarding individualized programs or services should also be informed through other classroom-based or professional assessments.

Early reading screening is designed to support effective instruction. Early reading screening data should not be used in the evaluation of curriculum expectations. Parents/guardians^[7] should be engaged to discuss their child's early reading screening results and how they can support their child's reading skills at home.

Using Early Reading Screening Data

Research suggests that the implications of difficulties with early reading skills can be minimized or even prevented, when identified early and addressed using evidence-based instruction.

Using the data from early reading screening (in conjunction with classroom-based assessments) can support teachers to provide targeted evidence-based reading instruction to all students to prevent or quickly address reading difficulty. Early reading screening results that show a student has difficulty with foundational reading skills may be an indication that the student needs more individualized and intensive instruction. The tiered approach to prevention and intervention is a systematic approach to providing high-quality and evidence-based assessment, instruction, and interventions that correspond to individual student needs. The tiered approach is based on high-quality, reliable and valid screening as well as monitoring of student progress in foundational reading skills. This approach supports teachers to identify individual student learning needs, and to plan and provide more intensive instruction for any student who may benefit from it. This approach also supports teachers and administrators to analyze early reading instruction at a classroom, grade, and school level.

Research suggests that ongoing screening, including monitoring progress between screenings, can support teachers to better respond to student learning needs. Monitoring progress throughout the school year can support teachers to further inform any required tiered supports. Decisions about this should be based on individual student skills in foundational reading.

Requirement for Protected Time on Foundations of Language Instruction

Classroom timetables for Grades 1 to 3 are expected to allocate focused time for reading instruction in alignment with the Foundations of Language described in Strand B of *The Ontario Curriculum, Grades 1–8: Language, 2023*

(<https://www.dcp.edu.gov.on.ca/en/curriculum/elementary-language/context/appendix-a>) . This includes uninterrupted time for explicit and systematic instruction in foundational reading for a minimum of 150 minutes per five-day cycle. This protected time for foundational reading instruction should be realized through daily blocks of at least 30 minutes within the overall daily literacy block.

Classroom time can be effectively used by providing instruction that is guided by the principles of Universal Design for Learning (<https://www.ontario.ca/page/learning-all-guide-effective-assessment-and-instruction-all-students-kindergarten-grade-12>) and differentiated instruction that are informed by students' learning strengths, growth, and needs including:

- Predictable schedules and classroom routines to support students in knowing when the focused time for reading instruction takes place during the day;
- Lessons that follow the Language Foundations for Reading and Writing Continua in the curriculum, progressing from simple to more complex word reading skills;
- Systematic and explicit instruction of targeted foundational reading skills and multiple opportunities for small-group instruction and teacher feedback, as well as independent practice for students who can practice the skill correctly, and rich, authentic literacy learning experiences; and
- Supporting student engagement in tasks by providing timely descriptive feedback as appropriate.

Early reading instruction occurs within a scope and sequence of systematic instruction as outlined by the relevant expectations in the elementary Language curriculum's Strand B: Foundations of Language. Additionally, the development of skills and knowledge in reading is often enhanced by explicit vocabulary instruction from other subject areas. It is important to recognize that the integration of rich language and literacy experiences can deepen the conceptual understanding and strengthen the development of knowledge and skills in other subject areas.

Requirements for Early Reading Screening

Mandatory Early Reading Screening Policy

The ministry is requiring school boards to have all students in Year 2 of Kindergarten, Grade 1 and Grade 2 screened for early reading using a ministry-approved, evidence-based screening tool. These students are required to be screened twice in a school year, however, for students who met the benchmark in the first screening, the second screening is optional.

Early reading screening does not replace classroom-based assessments that reflect how well a student is achieving the curriculum expectations, including assessment *for* learning, assessment *as* learning, and assessment *of* learning.

Timing and Frequency of Early Reading Screening

The first ministry-mandated early reading screening in a school year is required for all students in the publicly funded education system in Year 2 of Kindergarten, Grade 1 and Grade 2. This screening should take place near the beginning of the school year to ensure students have access to appropriate literacy instruction and tiered supports as soon as possible. The first ministry-mandated screening must be completed before mid-November and results of the screening must be communicated in the first Kindergarten Communication of Learning or the first Elementary Provincial Report Card (issued between January 20 and February 20).

The second ministry-mandated reading screening in a school year is required for all students who did not meet the benchmark in the first ministry-mandated screening but is optional for students who did meet the benchmark. This screening must be completed by the middle of March to provide time for ongoing tiered intervention. Results of the second ministry-mandated screening must be communicated in the second Kindergarten Communication of Learning or the second Elementary Provincial Report Card (issued towards the end of June).

Teachers may choose to administer diagnostics throughout a school year in addition to the two ministry-mandated screenings to monitor progress and identify areas where additional support may be needed throughout a school year. This could include the use of additional tools and resources beyond the ministry-mandated early reading screening tool, subject to PPM 155.

Principals^[8], in consultation with teachers, may decide to adjust the timing of the administration of the required screening(s) if it is in the best interest of the student(s). In this case, parents/guardians must be notified in advance about the adjusted timing.

Communicating with Parents/Guardians

Parents/guardians have an important role to play in supporting student learning.

Before or within the first week of class, school principals must provide parents/guardians with information about early reading screening (see Appendix A for a sample communication for school boards). This communication will ensure parents/guardians are aware of the early reading screening policy, the types of reading skills and reading measures their child will be screened for and how screening will support their child's reading development. This information should be communicated in parent-friendly language.

The results of each individual student's early reading screening must be communicated to their parents/guardians. Beginning in 2023-24, the Kindergarten Communication of Learning and the Elementary Provincial Report Card will include checkboxes where results of the ministry-mandated early reading screening(s) are recorded. Reports will communicate the date and results of the first ministry-mandated screening and, where applicable, the second ministry-mandated screening. For students who did not meet the benchmark in their first ministry-mandated screening, results should be communicated with parents/guardians in a timely manner to encourage collaboration with the school to support the student's progress in reading (see Appendix B for a sample communication for sharing results with parents/guardians).

Parents/guardians must be informed in a timely manner if their child will be receiving more intensive instruction (e.g., Tier 3 supports) based on the number, degree and persistence of difficulties they are having with foundational reading skills despite Tier 1 instruction or Tier 1 and 2 instruction (please see the section on "Tiered Approach to Reading Instruction" for more information on tiered supports).

Teachers maintain ongoing, regular and meaningful communication with parents/guardians to provide a clear explanation of students' strengths and areas of need, discuss classroom strategies and share examples of growth and progress over time. As outlined in *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools*, teachers should also help parents/guardians to understand how they can support learning at home.

Tiered Approach to Reading Instruction

Access to tiered classroom-based instruction and supports must be available to all students, based on need(s) identified through early reading screening or subsequent reading skills assessment. Data from early reading screening should be used by teachers to plan differentiated and responsive reading instruction that accounts for student strengths and reading skills. The tiered approach to instruction is characterized by:

- A core belief that all students can learn to read.
- Instruction for all students (at all tiers) that is evidence-based.
 - Instruction for all students employs systematic and explicit instructional strategies to assist all students to learn foundational reading skills.
- Tier 1 instruction, which is provided to all students and incorporates Universal Design for Learning and differentiated instruction.
 - Teachers will determine whether a student's needs will be met through differentiated instruction at Tier 1 or if the student also requires more intensive instruction in addition to Tier 1 instruction.
- Tier 2 instruction, which provides more intensive, small-group support, in addition to Tier 1 instruction, for students who are not meeting the screening benchmark (and have difficulty with one to three foundational reading skills).
- Tier 3 instruction, which provides the most intensive, individual or small-group support, in addition to Tier 1 instruction, for students who have either a number of difficulties, a considerable degree of difficulties, and/or persistent difficulties in foundational reading skills, as identified through their screening result(s) and/or other reading assessments, despite Tier 1 instruction or Tier 1 and 2 instruction.
- Increased progress monitoring for students with reading difficulties.
 - This data informs educator decisions to maintain, increase, or decrease the intensity of instruction, based on student progress or ongoing difficulty.

In cases where teachers have provided all tiers of support to a student in reading instruction and the student has not yet met their grade's respective reading skills benchmark, teachers will work with their school principal to determine additional supports that are required. In these cases, teachers and principals may engage their school's special education teacher(s), in-school support team and/or other school board supports to determine next steps. School boards should draw on internal expertise of educators, including teacher-librarians and administrators, as well as speech-language pathologists and psychology staff who are knowledgeable about evidence-based, systematic and explicit instruction in foundational reading skills.

Tiered classroom-based reading instruction, that includes access to more intensive reading instruction and supports as needed, must be provided to all students, independent of whether a student is known or believed to have a disability or is receiving any special education programs and/or services.

Screening Students in French-Immersion

School boards are to determine whether students in Year 2 of Kindergarten, Grade 1, and Grade 2 will complete mandatory screening in the language of instruction of the program or of the school board in which they are enrolled at the time the screening is administered. School boards are to make this determination with consideration of the mandatory use of ministry-approved tools and the provisions of a tiered approach to reading instruction.

Screening Language Learners

Principals and teachers should continue to access relevant resources (e.g., Steps to English Proficiency (STEP) or Trousse de progression des apprentissages langagiers en français de l'Ontario (TPALF)) as they support the unique learning needs of language learners. Principals, in consultation with teachers, may adjust the timing of the administration of the required screening(s), as appropriate, in the school year.

Screening requirements for transferring students

For a student who transfers between publicly funded schools or school boards, the most recent screening results should be included in the student's Ontario Student Record (OSR) to support the student through that transfer. The screening information may be removed from the OSR when it is no longer needed, in accordance with the OSR guideline.

School principals may determine whether it is appropriate to complete the initial early reading screening for students transferring to a publicly funded school after:

- being provided home schooling;
- being enrolled in a private school, provincial or demonstration school, First Nation-operated/federally-operated school in Ontario or in a school in another jurisdiction.

School principals may determine whether it is appropriate to complete early reading screening for students transferring to a publicly funded school after having completed Grade 2.

Roles and responsibilities

School Boards

School boards are responsible for the implementation of this PPM, including:

- establishing processes and practices for students in Year 2 of Kindergarten, Grade 1 and Grade 2 to be screened for early reading, using a ministry-approved, evidence-based screening tool in accordance with this PPM;
- establishing processes and practices that protect student privacy throughout the screening process in accordance with applicable privacy legislation;
- the collection of early reading screening data and meeting the ministry's reporting requirements;
- directing vendors to update report card templates, consistent with the templates provided by the ministry, which will include a space to record screening results;
- developing common language for schools to use in communications to parents/guardians regarding the purpose of early reading screening, implementation details, and individual screening results; and
- providing opportunities for relevant school and school board staff to have necessary training on the use of early reading screening effectively, including how to collect and record data on screening.

School Principals

Under the direction of their school boards, school principals support the implementation of the PPM at the school-level and support student development of reading, including by:

- putting in place processes and practices at the school level for students in Year 2 of Kindergarten, Grade 1 and Grade 2 to be screened for early reading in alignment with this PPM;
- supporting communications with parents/guardians to encourage collaboration between the home and school;
- preparing classroom timetables for Grades 1 to 3 that allocate focused time for reading instruction in alignment with the Language Foundations for Reading and Writing described in The Ontario Curriculum, Grades 1–8: Language, 2023, including uninterrupted time

for systematic and explicit instruction in foundational reading for a minimum of 150 minutes per five-day cycle in daily blocks of at least 30 minutes within the daily literacy block;

- encouraging ongoing professional learning in systematic and explicit instruction in foundational reading, as well as being committed to their own early literacy instructional leadership, to prepare educators and other professionals to support classroom implementation; and
- including a student's most recent early reading screening results in the student's Ontario Student Record (OSR), if the student is transferring to another school.

Teachers

Under the leadership of their principals, teachers support student development of reading, including by:

- administering early reading screening in alignment with this PPM, and
- communicating regularly and meaningfully with parents/guardians to share results of early reading screening and on the progress of their child's reading development.

Recording and reporting requirements

Kindergarten Communication of Learning and the Elementary Provincial Report Card

Beginning in the 2023-24 school year, the Kindergarten Communication of Learning and the Elementary Provincial Report Card, Grades 1-6 will include checkboxes where results of the mandatory early reading screening(s) are recorded along with the date of screening. Report cards will communicate results of the first ministry-mandated screening and, where applicable, the second ministry-mandated screening.

The checkboxes in the Kindergarten Communication of Learning and the Elementary Provincial Report Card, Grades 1-6 will indicate if the student has completed the early reading screening and if the student has met the screening benchmark at that time. There will be an option to select "N/A" for students who were not screened and/or for students to whom early reading screening does not apply.

Ministry Data Collection

The ministry is undertaking data collection related to early reading screening. The collection of data enables analysis on the participation and results of students who were screened each academic year.

Data Management at School Boards

School boards are expected to develop and implement a process for regular data collection and monitoring of student screening, using a robust and secure data collection and recording system.

The ministry expects school boards to develop processes that ensure screening information is shared with other Ontario school boards in cases where a student moves to a different school board. This information should include screening results for each student, and other relevant and associated information such as the screening tool used and previous interventions or supports provided to the student to inform their instruction going forward.

Privacy and Security of Student Data

School boards are expected to adhere to their local I&IT policies/directives, all applicable privacy legislation, as well as the OPS I&IT Standards and Directives as it relates to security and management of all student data.

Appendix A: Sample Communication to Parents/Guardians Regarding Early Reading Screening

Dear Parents/Guardians,

Reading is a foundational skill critical to student success, both in the classroom and beyond. Beginning in 2023-2024, our school will be administering annual early reading screenings for all students in Year 2 of Kindergarten through Grade 2. Early reading screening is newly mandated by the Ministry of Education through Policy/Program Memorandum# 168.

From language and social studies to science and math, reading skills are critical to student success across their entire educational journey and having strong reading skills can ensure future career success.

This new early reading screening will be an essential tool to identify students who are experiencing difficulties with reading so they can receive the support they need to improve their reading proficiency and give them the best opportunity for success. The purpose of early reading screening is to:

1. monitor your child's development in early reading skills,
2. identify children who need additional support, and
3. guide classroom instruction.

The newly instituted annual screening is completed one-on-one towards the beginning of the school year. Early reading screening is a valuable tool to help us understand and communicate your child's individual reading progress so that we can support their unique needs. This new screening is not evaluated as part of your child's grades, but instead will help identify the support they need in order to develop reading proficiency.

The screening covers various foundational skills needed for reading proficiency. For example, your child might be asked to identify letters and corresponding sounds or sound out words. The specific details of the screening will vary depending on the grade. No additional preparation is needed nor expected for the screening.

Below are the skill areas and reading measures your child will be screened for through the [school board to enter name of the ministry-approved early reading screening tool]:

[school board to identify skill areas, reading measures, and types of activities that will be screened using the aforementioned screening tool – this information should be communicated in parent-friendly language]

Early reading screening benchmarks indicate how students are doing on a specific set of reading measures. Students whose scores fall below the benchmark will be provided tiered support to help them catch up. The screening only provides one piece of information about your child's language and literacy skills.

Teachers will connect with you to discuss your child's strengths, areas of need, and to share examples of their growth and progress over time. Results of the first screening will be communicated to you in your child's first Kindergarten Communication of Learning/Elementary Provincial Report Card (issued between January 20 and February 20) and will indicate whether your child has met or not yet met the screening benchmark at the time of their screening. Teachers maintain ongoing communication with parents/guardians to discuss the results of classroom assessments, as needed.

Should you have any questions or concerns about your child's reading abilities, you are encouraged to reach out to your child's teacher and/or principal.

Thank you for your partnership in ensuring that your child has the best possible learning experience.

Sincerely

[School and School Board]

Appendix B: Sample Communication to Parents/Guardians on Early Reading Screening Results

Dear Parents/Guardians,

Reading is a foundational skill critical to student success, both in the classroom and beyond. All students in our school in [enter grade] are screened for early reading using the [enter name of the ministry-approved early reading screening tool].

The purpose of early reading screening is to:

1. monitor your child's development in early reading skills,
2. identify children who need additional support, and
3. guide classroom instruction.

The skills measured in the [enter name of the ministry-approved early reading screening tool] include:

[include skills measured by ministry-approved early reading screening tool in the respective grade – this information should be communicated in parent-friendly language]

Your child was screened on [enter date of screening]. Your child's screening results are provided below. The early reading screening benchmarks are set at a level that indicates that a child's skills in this particular area are on track for reading proficiency. The benchmarks are based on researched connections between how children do on these measures and how likely they are to demonstrate reading proficiency in the future. Students whose scores fall below the benchmark will be provided tiered support to help them catch up.

[include results measured by ministry-approved early reading screening tool in the respective grade – this information should be communicated in parent-friendly language]

Results of the screening will also be communicated to you in your child's next report card (Kindergarten Communication of Learning or Elementary Provincial Report Card). It is important to keep in mind that the screening only provides one piece of information about your child's language and literacy skills, and that results of the screening will not be used to determine your child's grades. Instead, it will help identify the support they need to be on track for reading proficiency.

Should you have any questions or concerns about your child's reading abilities, you are encouraged to reach out to your child's teacher and/or principal.

Thank you for your partnership in ensuring that your child has the best possible learning experience.

Sincerely

[Name]

[Title]

[School]

[School Board]

Policy/Program Memorandum 167

Date of Issue: February 1, 2022

Effective: February 1, 2022

Subject: Online learning graduation requirement

Application:

Directors of Education
Chairs of District School Boards
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Continuing Education
Principals of Inspected Private Schools
Principals of Inspected International Schools
Principals of Inspected First Nation / Federally-operated Schools
Executive Director, Provincial and Demonstration Schools
Director of Education, Centre Jules-Léger Consortium
Principal of the Independent Learning Centre

Purpose

The purpose of this memorandum is to provide direction to Ontario schools^[1] on the implementation of the online learning graduation requirement and opt-out process.

This requirement is designed to support students^[2] to enroll in online learning courses as part of their secondary school program, in order to support the development of digital literacy and other important transferable skills that will help prepare them for success after graduation and in all aspects of their lives. It is guided by a vision of an Ontario where every student has equitable access to high-quality online learning within a modernized education system that prepares them to succeed in a digital and ever-changing world. Refer to the “Eligible credits” section for a detailed definition of “online learning”.

Where any direction of the Policy/Program Memorandum (PPM) conflicts with applicable laws or collective agreement provisions, the applicable laws or collective agreement provisions prevail over the PPM.

The Ministry of Education recognizes the importance of respecting French minority-language rights holders and denominational rights holders.

Ontario students have been using online learning to earn high school credits towards their diploma since 2004. Expanding access to high-quality, Ontario teacher-led online learning will enable students to:

- access a wider variety of courses no matter where they live or go to school, allowing them to shape their education based on their individual needs and goals
- learn in engaging new ways, such as through hands-on, interactive features, simulations and collaboration with peers across the province
- increase their digital fluency and gain transferable skills to support lifelong learning and employment opportunities

We live in an increasingly digital world and students require the skills necessary to operate in both the physical and digital space. By expanding and modernizing online learning, students will have greater flexibility, more choice, and will graduate with skills needed in all aspects of their lives, including to enter the workforce. Employers are looking for people who understand the importance of technology and can use it in ways that will help their businesses thrive in a competitive, globally connected economy. Online learning is one important way that students can develop these skills and become lifelong learners.

Online learning graduation requirement

Beginning with the cohort of students who entered Grade 9 in the 2020-21 school year, all students must earn a minimum of two online learning credits as part of the requirements for an Ontario Secondary School Diploma (<https://www.ontario.ca/page/high-school-graduation-requirements>) unless they have been opted out or exempted in accordance with the processes described in this memorandum. Adult learners entering the Ontario secondary school system in 2023-24 or later will also be required to meet this graduation requirement unless they opt themselves out of the requirement in accordance with the processes described in this memorandum.

Students working towards other certificates (for example, the certificate of accomplishment or an Ontario Secondary School certificate) are not required to complete the online learning graduation requirement, yet may be encouraged to enroll in online learning courses to support the development of digital literacy and other important transferable skills that help prepare them for success after graduation and in all aspects of their lives.

Eligible credits

For the purposes of this Policy/Program Memorandum, *online learning courses* or *online learning credits*, also known as “e-learning” courses or credits, are Grades 9 to 12 credit courses that are delivered entirely using the internet and do not require students to be physically present with one another or with their educator in the school, except where they may be needed for:

- examinations and other final evaluations
- access to internet connectivity, learning devices, or other school-based supports (for example, academic, guidance, special education, mental health and well-being supports, and required initial assessment and in-person learning for English language learners and students of Actualisation linguistique en français (ALF) or Programme d'appui aux nouveaux arrivants (PANA) at their early stages of language acquisition)

Students must successfully complete the equivalent of at least two full online credits to fulfil the graduation requirement. Online learning credits towards the graduation requirement may be earned at any time during the student's secondary school program or, under exceptional circumstances, an individual student in Grade 8, with parental consent, may be given permission by the principal of a secondary school to “reach ahead” to take secondary school courses, either during the school year or in the summer prior to entering Grade 9 (please refer to *Ontario Schools, Kindergarten to Grade 12: Policy and Program Requirements* for more information on these credits).

All online learning credits earned at a school authorized to offer credits towards an Ontario Secondary School Diploma may count towards the graduation requirement.

In online learning courses delivered by Ontario's publicly funded secondary schools, coursework is teacher-led. The content is offered through a secure learning management system, allowing students and educators to communicate and share learning and coursework online. School boards may, for example, use the ministry's Virtual Learning Environment (VLE) for this purpose, which is available for publicly funded school boards to use at no cost.

Students from the same online class may follow different timetables and be from different schools or school boards. In publicly funded secondary schools, students complete their online coursework with the support of a certified Ontario educator^[3] who provides instruction, ongoing feedback, assessment, evaluation, and reporting including implementing any accommodations and/or modifications identified in the student's Individual Education Plan.

Ineligible credits

Credits that shall not count towards the online learning graduation requirement include those earned through:

- **in-person learning**, in which students are physically present with other students in the same course and their educator in the school environment
- **blended learning**, in which digital learning resources are used in an in-person learning setting, or in which students are taught part of the time in person in the school environment and part of the time online
- **flipped classrooms**, a type of blended learning in which students are introduced to content online and practice working through it in person with their educator in the school environment
- **remote learning**, characterized by minimum synchronous learning requirements, among other requirements as defined in Policy/Program Memorandum 164 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-164>)

Exception: remote learning credit earned in 2020-21

The ministry recognizes the extraordinary circumstances of the COVID-19 pandemic. As a result, this Policy/Program Memorandum recognizes up to one secondary school credit completed by Grade 9 students in the 2020-21 school year during the province-wide school closures (from April 2021 to June 2021) may be counted towards the graduation requirement. Schools should select one of these credits and record it in the system they use locally for tracking the requirement and reflect the completion of the selected credit when reporting through the Ontario School Information System (OnSIS) towards the student's online learning graduation requirement. The course itself does not need to be flagged as an "online course". It will be counted under the "Diploma Requirements" "Online Learning Graduation Requirement" section of the provincial report card template.

Opt-out process

School boards must develop and implement a protocol or procedure^[4] that allows for students to be opted out of the online learning graduation requirement:

- at the request of their parent(s)/guardian(s)
- at the student's request, if they are 18 years of age or older (or if they are 16 or 17 years of age and have withdrawn from parental control)

Minimum requirements

The school board must make available a digital and/or paper-based "opt-out form" that a parent/guardian, a student who is 18 years of age or older, or a student who is 16 or 17 years of age and has withdrawn from parental control, may use to record their decision to opt out of the graduation requirement. The school board may use the sample form provided in the Appendix to this memorandum or create their own form if it contains, at a minimum, the information in the sample form.

A parent/guardian, a student who is 18 years of age or older, or a student who is 16 or 17 years of age and has withdrawn from parental control, may opt out of the graduation requirement for any reason during the student's secondary school program by submitting the form to the school that holds the student's Ontario Student Record. The school must acknowledge the receipt of the form once submitted and include it in the Ontario Student Record of the student. Once the form has been included in the student's Ontario Student Record, the

graduation requirement will not apply to the student. School boards may establish an annual cut-off date by which the completed opt-out form must be submitted to the school for it to take effect before the end of the school year.

Where necessary, school staff may contact a parent/guardian to discuss the student's individual needs and the appropriateness of online learning for the student. They may also contact the student if they are 18 years of age or older or are 16 or 17 years of age and have withdrawn from parental control. During these discussions, school staff may or may not recommend that a student be opted out of the graduation requirement. However, it must be made clear that the choice is ultimately that of the parent/guardian, student who is 18 years of age or older, or who is 16 or 17 years of age and has withdrawn from parental control.

Responsibilities for reporting

Reporting requirements

The principal of the school holding the student's Ontario Student Record will ensure that a determination has been made whether the student has met the online learning graduation requirement and if so, will ensure this is indicated on the Ontario Student Transcript and the student's report card. If the graduation requirement does not apply, for example due to an opt-out, this will also be indicated on both the Ontario Student Transcript and report card. This will be recorded on the transcript as "Online Learning Graduation Requirement - Non-Applicable".

Each student's progress towards the graduation requirement will be tracked by the school, including which credits were completed through online learning. Progress towards the completion will be communicated to parents/guardians, or the student if they are 18 years of age or older or 16 or 17 years of age and have withdrawn from parental control. This may be communicated, for example, through the student's report card.

Any required reporting on the graduation requirement and opt-outs must be completed through OnSIS. School boards currently report online learning data through OnSIS using specific course delivery types intended for online learning or e-learning courses. It is expected that school boards will continue to report online learning data in this way through OnSIS.

Recording of grades

All reporting and recording of student information for online courses remains the same as for courses delivered through classroom instruction, per Growing success: assessment, evaluation and reporting in Ontario schools (2010) (<http://www.edu.gov.on.ca/eng/policyfunding/growsuccess.pdf>) . The marks reporting schedule of an online learning course will be that of the school delivering the online learning course in accordance with the reporting schedules outlined in Growing Success. The same criteria for full disclosure that apply to in-person courses will also apply to online learning courses as outlined in the Ontario student transcript manual (<http://www.edu.gov.on.ca/eng/general/elemsec/ost/ost.html>) .

The school delivering the online learning course(s) will ensure mid-term and final grades are sent both to the school holding the student's Ontario Student Record and the parent/guardian or student if they are 18 years of age or older or 16 or 17 years of age and have withdrawn from parental control. This may be communicated, for example, through the provincial report card. The school holding the student's Ontario Student Record is responsible for including the report in the student's Ontario Student Record and the credit information on the Ontario Student Transcript.

Description of requirement in course calendar

School boards will ensure that a description of the online learning graduation requirement and the opt-out protocol or procedure are included in course calendars.

A sample description is included as an Appendix to this memorandum. The course calendar must include at least the information in the sample description.

Student transfers

If a student transfers to the school from outside of a publicly funded school board, the principal will ensure a determination is made regarding how many online learning credits towards the graduation requirement may be considered completed based on their evaluation of the student's learning. As with all determinations of credit equivalency, the principal will ensure that a record of this determination and the rationale is kept in the student's Ontario Student Record.

If a student transfers from outside of a publicly funded school board where they were previously exempted from the online learning graduation requirement, a new opt-out form will need to be completed.

Principal's discretion

The principal of the school holding the student's Ontario Student Record will have the discretion to exempt students under 18 years old and still under parental control from the online learning graduation requirement without parental consent if they determine the need is pressing and in the best interests of the student and the parent cannot be reached. However, this authority shall not be used to circumvent parent/guardian choice.

Where principals make a determination to exempt a student, if possible the parent/guardian shall be electronically or physically mailed a notification by the principal in writing with a rationale outlining why the exemption was made, and a copy of the notification must be included in the student's Ontario Student Record. Once the notification is included in the student's Ontario Student Record, the graduation requirement shall not apply to the student.

Availability of school supports

Supports that are available to students in publicly funded schools (e.g., guidance, nutrition programs, extra-curricular activities, services for English-language learners) will continue to be made available to the students at their school while they are enrolled in online learning. A point of contact in each school will be available to serve as a conduit between the online learning educator and additional supports that may be required by the student. If a student in a publicly funded school has an Individual Education Plan, the plan should be shared, when appropriate, with an educator instructing an online course delivered by another publicly funded school board, with the necessary consent.

Appendix: Sample forms

Sample A: information for course calendar

Online learning graduation requirement

Students are required to earn two online learning credits to graduate from secondary school, beginning with every student who entered Grade 9 in the 2020-21 school year. The graduation requirement is intended to support students in developing familiarity and comfort with learning and working in a fully online environment, as well as developing digital literacy and other important transferable skills that they will need for success after secondary school, including in post-secondary education and the workplace.

Definition of "online learning" for this graduation requirement

- Online learning credits that count towards the requirement are earned through courses that rely primarily on communication between students and educators through the internet or another digital platform.
- Online learning credits that count do not generally require students to be physically present with one another or with their educator in the school, except where required for:
 - examinations and other final evaluations
 - occasional meetings with educators and other school staff, and
 - access to internet connectivity, learning devices, or other supports (for example, guidance, special education and mental health and well-being supports, and required initial assessment and in-person learning for English language learners and students of Actualisation linguistique en français (ALF) or Programme d'appui aux nouveaux arrivants (PANA) at their early stages of language acquisition)
- In online learning courses delivered by schools in the publicly funded education system, coursework is teacher-led.
- Students from the same online class may follow different timetables and be from different schools or school boards.
- Students in publicly funded schools complete their online coursework with the support of a certified Ontario educator with whom they communicate, and who provides instruction, ongoing feedback, assessment, evaluation and reporting as needed, including implementing any accommodations and/or modifications identified in the student's Individual Education Plan.

In-person courses that use digital learning tools in a physical classroom do not count towards the online graduation requirement, nor do remote learning courses that rely on a minimum requirement for synchronous learning.

There is one exception: **Up to one** secondary school credit that was completed by students who were in Grade 9 during the province-wide school closures (from April 2021 to June 2021) may be counted towards the graduation requirement, in recognition of the extraordinary circumstances of the COVID-19 pandemic.

Selection of courses should consider future pathways, the ability and interests of the student to learn in a fully online environment and any potential supports that may be needed. Meeting the online learning graduation requirement should not pose a barrier to graduation for students. As with all learning, students taking online courses will have access to the supports they need through their school, (e.g., guidance, nutrition programs, extra-curricular activities and services for English-language learners). If a student in a publicly funded school has an Individual Education Plan, the plan should be shared, when appropriate, with an educator instructing an online course delivered by another publicly funded school board, with the necessary consent.

Check with your local school if you have questions regarding the registration process.

Parents/guardians may choose to opt their children out of the mandatory online learning credits required for graduation. To opt out, a parent/guardian must submit an opt-out form to the school. Students 18 years of age or older, or who are 16 or 17 years of age and have withdrawn from parental control, can also opt out of the graduation requirement by submitting an opt-out form to the school. School boards must also allow for students and parents/guardians to opt back into the online learning graduation requirement should their decision change. Please contact the school for further information on this process.

Sample B: Opt-out form

About the online learning graduation requirement

Students are required to earn two online learning credits to graduate from secondary school, beginning with every student who entered Grade 9 in the 2020-21 school year. Adult learners entering the Ontario secondary school system in 2023-24 or later will be required to meet this graduation requirement and may opt themselves out of the requirement. The graduation requirement is intended to support students in developing familiarity and comfort with working and learning in a fully online environment, as well as developing digital literacy and other important transferable skills that will help prepare them for success after graduation and in all aspects of their lives.

Meeting the online learning graduation requirement should not pose a barrier to graduation for students. As with all learning, students taking online courses will have access to the supports they need through their school, (e.g., guidance, nutrition programs, extra-curricular activities and services for English-language learners). If a student in a publicly funded school has an Individual Education Plan, the plan should be shared, when appropriate, with an educator instructing an online course delivered by another publicly funded school board, with the necessary consent.

Parents/guardians may choose to opt their child out of the mandatory online courses required for graduation. Students age 18 years of age or older or students who are 16 or 17 years of age and have withdrawn from parental control can also opt out of the graduation requirement. School boards must also allow for students and parents/guardians to opt back into the online learning graduation requirement should their decision change.

I agree with the following statements:

- Having reviewed the online learning graduation requirement and the availability of supports for online learning through my child's/my school, I would like to opt my child/myself out of this requirement.
- The benefits of online learning have been shared with me by the school, including how the development of digital literacy and other important transferable skills are intended to help prepare students for success after graduation and in all aspects of their lives.

I understand the following statements:

- Upon receipt of this form by my child's school/my school, my child/I will not be required to earn two online learning credits to earn an Ontario Secondary School Diploma.
- My child/I will face no academic penalties for opting out of this graduation requirement.
- My child/I will continue to complete all other applicable graduation requirements.
- This will be recorded on my child's/my transcript as "Online Learning Graduation Requirement - Non-Applicable".

Student's First Name

Parent/Guardian First Name
(if applicable)

Signature of Parent/Guardian or Student Age 18 or Older, or
Student who is 16 or 17 and has Withdrawn from Parental Control

Student's Last Name

Parent/Guardian Last Name
(if applicable)

Date

Please note:

Upon receipt, this form will be included in your child's/your Ontario Student Record.

You will receive an acknowledgement from the school by
_____ [letter/email/text] by _____ [insert date].

If you do not receive an acknowledgement, please contact:
_____ [contact name here].

Please return this signed form no later than: _____ [insert date].

Policy/Program Memorandum 166

Date of Issue: July 6, 2021

Effective: January 31, 2022

Subject: Keeping Students Safe: Policy Framework for School Board Anti-Sex Trafficking Protocols

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools

Acknowledgement

The Ministry of Education wishes to express its gratitude for the time, dedication and insight of the ministry's Anti-Human Trafficking Working Group members, whose work informed this policy. The working group includes experts in education, child welfare, human trafficking and policing, as well as organizations and individuals who amplified the voices and shared the knowledge of survivors, Indigenous communities and organizations, Black and racialized communities, newcomers and students.

Application

It is the policy direction of the Ministry of Education that school boards establish and follow a protocol for the response to suspected sex trafficking occurrences. This policy framework will guide this work and is made pursuant to the authority of the Minister of Education.

The policy applies to district school boards, school authorities and provincial and demonstration schools, including Centre Jules-Léger Consortium. As school boards build their protocols, they will include in their collaborative partnerships the alternative delivery sites in the public education system, such as Education and Community Partnership Programs/section 23 programs and alternative and adult secondary school programs.

Purpose: the Ministry of Education's commitment

The Keeping Students Safe policy – the first of its kind for an education sector in Canada – sets a strong foundation for Ontario school boards to build upon to create local anti-sex trafficking protocols. This new policy will ensure every school board has a plan with core components in place to protect students and empower school communities to play a key role in fighting sex trafficking and keeping children and youth safe from sexual exploitation.

Developed in partnership with the Ministry of the Solicitor General and the Ministry of Children, Community and Social Services, the purpose of this framework is to provide a policy foundation to guide Ontario school boards across the province as they collaborate with their community police services, local child welfare agencies and other community organizations and service providers serving children, youth and their families to create community-centered anti-sex trafficking protocols.

Once established, the final protocols will support coordinated action by all community partners to prevent, identify and recognize sex trafficking and develop responses to facilitate early and appropriate intervention.^[1]

The Ministry of Education's policy framework builds on the updated Health and Physical Education (HPE) curriculum for Grades 1 to 8 announced by Minister Lecce in 2019. That updated curriculum positioned Ontario as a leader by including mandatory learning beginning in Grades 1 to 3 as students start to learn skills to identify, develop and maintain healthy relationships, to identify and respond to exploitative and coercive behaviour, and how to seek help as needed. These skills help protect students from sex trafficking by teaching them to identify when they are in an unsafe situation. The curriculum is designed to be developmentally-appropriate, and in Grades 4 to 8 students continue to develop the skills they need to stay safe (in person and online), and how to help themselves and others. Students also learn about the impacts of sexually explicit media, including pornography. In every grade, students learn about consent, healthy relationships, and online safety, building foundational skills that support safe, healthy relationships throughout their lives.

Setting the context

Welcoming and engaging school environments lead to positive student experiences, especially when families and communities are intentionally involved in the students' learning.^[2] Safe schools – both physically and psychologically – are a critical element to successfully nurturing positive student experiences.

Schools are ideally placed to respond to sex trafficking and are a key factor in helping survivors of trafficking heal and rebuild their lives. They promote safety by building a culture of caring and by taking meaningful, culturally responsive and consistent action to prevent and respond to issues of safety and inappropriate behaviours.

The Ministry of Education is making active changes to the education system to help break down barriers for Black, Indigenous and racialized students and to provide all students with an equal opportunity to succeed. These actions have included providing teachers with additional anti-racism and anti-discrimination training. Work continues to strengthen human rights and equity in the education system, which are important steps in the effort to ensure schools are the safe spaces they are intended to be for all students.

The urgency to act

Human trafficking is one of the fastest growing and most lucrative crimes worldwide. It is predatory and devastatingly damaging to victims, survivors, their families and communities. Human trafficking can include recruiting, harbouring or controlling a person's movements using force, physical or psychological coercion or deception.

With the average age of recruitment into sex trafficking in Canada being 13 years old, school-aged children and youth are prime targets for traffickers for the purposes of sexual exploitation. Students face a multitude of diverse and intersecting factors that increase their vulnerability to violence and harm. They may have difficulty identifying warning signs of sex trafficking, recognizing when they may be in danger and knowing how to seek help.

Given the high rates and destructive impacts of sex trafficking in Ontario, there is an urgent need to establish an active, province-wide role for education, in collaboration with other sectors and partners. While strong policies and programming are protective against these threats, teachers and school staff play a vital role in building student awareness, supporting student mental health and being a frontline contact for students in crisis.^[3]

The education sector can play a powerful role to safeguard the safety, mental health and well-being of school-aged children and youth by helping to recognize, prevent and respond to sex trafficking. Education staff can spot the warning signs and safely connect those who are, have been or are at risk of being trafficked to the appropriate supports and culturally responsive community programs and services.

Ontario has the highest number of police-reported human trafficking cases in Canada

Ontario had the most police-reported incidents of human trafficking in the country occurring within the province in 2019, accounting for the majority of all police-reported incidents of human trafficking nationally.^[4] In addition, most police-reported cases of human trafficking in Ontario involve human trafficking for the purposes of sexual exploitation, which may also be referred to as sex trafficking. Young women and girls are particularly at risk, though boys and people who identify as 2SLGBTQIA are also targeted.^[5]

The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls highlighted that, “while Indigenous women represented only 4% of the Canadian population in 2016, they comprised nearly 50% of victims of human trafficking. Of those, nearly one-quarter were under the age of 18.”^[6]

Not all sex traffickers are adults. School-aged children and youth may also be involved in trafficking their peers. According to Statistics Canada, between 2009 and 2018, there were approximately 1,400 victims of human trafficking reported to police in Canada, and 6% of the accused persons identified were between the ages of 12 to 17.^[7]

School-aged children and youth will benefit from early intervention to reduce their vulnerability to sex trafficking and from connections to supports and help to rebuild their lives.

Increased risks and use of digital tools

Frequent use of mobile phones and computers can make it harder for caring adults to recognize the signs that a student is being groomed and lured. This increases the importance of educating students about both the positive and negative potentials of the internet, including the harmful impacts of violent depictions in sexually explicit imagery. Traffickers and other sexual predators are increasingly using online social media platforms to lure, groom and recruit young people into sexual acts or services. Social media can provide an easy point of access into conversation and relationships with unsuspecting students.

Why are some students at higher risk?

While any student can be sex trafficked, some groups are at increased risk of being trafficked.

- Systemic racism and discrimination have led to a disproportionate number of Indigenous and Black children and youth in care, which can lead to a lack of consistent relationships with caring adults and peers in schools.
- Indigenous peoples are especially vulnerable to sex trafficking due to historic and ongoing systemic discrimination, including intergenerational trauma resulting from residential schools and the “Sixties Scoop”.^[8] First Nation youth transitioning from remote Northern communities to schools in urban centres can also face increased safety risks.
- Language barriers, isolation, economic disadvantage or a lack of community and social supports may leave newcomer youth with increased vulnerability to trafficking.
- Students with disabilities may experience bullying and isolation in addition to having difficulty understanding the intentions of others.
- Students who are 2SLGBTQIA experience high rates of bullying, assaults and sexual abuse, and they may face isolation or displacement if they experience rejection from their family or the community.

Tactics used by sex traffickers

Traffickers use tactics to identify and groom vulnerable children and youth by fulfilling their unmet needs – such as love, affection, a sense of belonging and other basic needs like housing or food security – and/or by using threats, physical violence and control. An unstable home life and past trauma, as well as other factors such as a history of childhood abuse or involvement with the child welfare system, can leave students more susceptible to being trafficked.

Traffickers can use tactics such as befriending students on online platforms and pretending to be a love interest or encouraging the student to leave their rural/remote community to come to the city for work. Isolating the victim from family and friends is the ultimate goal, followed by normalization of abuse through a gradual grooming process.

Unique role of the education sector

Due to almost daily contact with students, teachers and other education staff are well placed to educate on prevention and promote healthy relationships, notice troubling changes in behaviour, and connect with students as caring adults. By training staff to recognize the signs of sex trafficking, they will be better equipped to identify the cues and safely intervene if they suspect a student is being trafficked or involved in trafficking. Education can also serve as a key factor in helping survivors of trafficking heal and rebuild their lives, helping to prevent re-victimization and resetting students on a healing trajectory towards positive outcomes.

Historical and ongoing trauma with the education system can be a barrier to the meaningful participation of Indigenous parents, caregivers, and communities. School boards should consider specific outreach and supports to Indigenous parents and caregivers, as well as groups that are disproportionately impacted by trafficking, to build their awareness and participation.

Definition of sex trafficking

Sex trafficking is a form of sexual exploitation and is a crime under the *Criminal Code of Canada*. It can include recruiting, harbouring, transporting, obtaining or providing a person for the purpose of sex. It involves the use of force, physical or psychological coercion or deception. Most individuals who are trafficked for the purpose of sexual exploitation are women and girls, but all people may be targeted.

Statement of principles

Define a role for parents/guardians/caregivers

Parents, guardians and caregivers are key partners in the development, implementation and review of school board anti-sex trafficking protocols. Care must be given when reaching out to parents, families and caregivers to ensure they are safe adults prior to engaging with them on matters regarding the student/s. Outreach to Indigenous parents and guardians, as well as outreach to Black and racialized parents and guardians, should be trauma-informed and recognize historic and systemic barriers that may impact their participation. Every effort should also be made to reduce cultural and/or linguistic barriers when reaching out to parents, guardians and caregivers about this work.

Foster student voices

Students are at the centre of this work and should be involved in efforts to develop actions against sex trafficking. Invite student groups to participate and inform the design, development, delivery and implementation of anti-sex trafficking protocols. Recognize that students with lived experience are experts and, if willing and appropriately supported through trauma-informed approaches, could share their story and insights as part of efforts to build awareness and empower students.

Build multi-sectoral relationships with community organizations

Ongoing consultation and engagement with community groups/agencies that support members of the school community are essential to supporting anti-sex trafficking approaches that are responsive to diverse students and the needs of local school communities.

Interventions must be safe

Caring adults and students within schools can promote a sense of student belonging, increase protective factors, help to reduce risk factors associated with sex trafficking, and support early intervention through identification and appropriate response, including connecting impacted persons to supportive services.

School board employees require comprehensive anti-sex trafficking training so they are equipped to identify the signs of sex trafficking, safely respond to disclosures, be culturally relevant and responsive to diverse student populations, and support the immediate physical and emotional safety needs of students. Training must emphasize how to respond to immediate dangers and the need to avoid actions that will make an individual's situation worse or more unsafe.

Build up school-based prevention

The development of the protocol will complement existing prevention efforts in schools, including the teaching of consent, healthy relationships and healthy sexuality. It is important for school staff to understand the historical and social context of sex trafficking and implement prevention strategies that are responsive to the needs of students and members of the local school community.

Respect confidentiality, privacy and informed consent

The development of procedures must respect confidentiality and ensure that the student fully understands how their information may be used or with whom it may be shared. It is key to develop referral relationships with community service organizations while adhering to applicable legal requirements, including those under the *Municipal Freedom of Information and Protection of Privacy Act*; the *Ontario Human Rights Code*; the *Accessibility for Ontarians with Disabilities Act, 2005*; the *Education Act*; and the *Child, Youth and Family Services Act, 2017*.

Promote equitable and culturally safe responses

Protocols should demonstrate a human rights-based, non-judgemental, culturally responsive, survivor-centered and trauma-informed approach to raising awareness, preventing, identifying and responding to sex trafficking.

The strength of the multi-sector approach

The development of school board anti-sex trafficking protocols will require collaboration and partnerships with persons with lived experience of trafficking as well as Indigenous organizations, local Children's Aid Societies, victim services, police services and other community-based service providers.

Some boards may opt to develop a regional protocol involving multiple school boards and local police services, in order to facilitate information-sharing and a coordinated response. Involving representatives from Indigenous, Black, racialized and newcomer groups and Francophone organizations, as well as American Sign Language and Québec Sign Language organizations, will help to develop a more culturally safe and equitable approach to the protocol.

A school board's protocol may also build on existing local multi-sectoral processes that may have been established to respond to human trafficking. This might include local anti-human trafficking committees, local situation tables and processes with victim services, sexual assault centres, youth shelters, public health units and other community-based organizations.

Consideration may also be given to aligning with and leveraging local community safety and well-being planning efforts, such as community consultations, planning advisory committees or action teams, as well as human trafficking strategies or programs that have been identified and/or implemented through a local community safety and well-being plan.

The development of a school board protocol: essential components and considerations

It is the policy direction of the Ministry of Education that each school board's anti-sex trafficking protocol should have clearly articulated roles, responsibilities and accountability measures. It should also address threats associated with digital technology and the internet.

The core and essential elements of the protocol are:

- statement of principles
- strategies to raise awareness and prevent sex trafficking
- response procedures
- training for school board employees
- measuring success: accountability and evaluation

Statement of principles

The school board protocol must, at minimum, include the Statement of Principles outlined in this document.

Strategies to raise awareness and prevent sex trafficking

The school board protocol must include culturally safe strategies to raise awareness about sex trafficking with students, school board employees, parents, caregivers and the broader school community. Any protocol should apply to in-person and online learning and include all school and school board activities, including field trips, overnight excursions, board-sponsored sporting events and board-operated before- and after-school programs.

Strategies must include:

- A plan to make the protocol and related procedures and resources publicly available and accessible on the school board website.

- A process to raise awareness among parents and caregivers about:
 - cyber-safety
 - the signs that a student is being targeted, lured, groomed, trafficked or is trafficking another student; how to get help safely (for example, through the school board, community providers and/or support hotline)
 - how they can report concerns to the school board (including anonymous reporting) and the school board's process for responding to concerns
 - the process should include approaches to overcome barriers to participation that Indigenous, Black, newcomer and other parents/guardians may face
- A process to raise awareness among students on the signs a student is being targeted, lured, groomed, trafficked or is trafficking another student, and how to bring concerns about luring, grooming, recruitment or exiting sex trafficking to the school without fear of reprisal. The process should allow for concerns to be brought forward anonymously.
- A process to help prevent recruitment of students for sex trafficking, including through curriculum-based learning about healthy relationships, consent, mental health and well-being, coping skills, personal safety and online safety, as well as through work with local community-based organizations and survivors.
- Consideration of the use of available technology and tools to identify and deter potential situations involving students who could be at risk of sex trafficking and other online threats, while using school board-provided technology.

Awareness strategies could involve sending letters or emails, providing information in a student handbook, displaying posters, hosting information sessions, posting on the school/school board social media accounts, and/or posting information on the school board website. Schools may want to include the phone number for the Canadian Human Trafficking Hotline (<https://www.canadianhumantraffickinghotline.ca/>) to raise awareness about the supports and referrals it offers.

Response procedures

The school board protocol must establish procedures for school board employees to respond in situations where a student:

- may be at risk of or is being sex trafficked
- may be targeting, luring, grooming or recruiting children and youth for the purpose of sex trafficking
- is returning to school after they have been trafficked or involved in trafficking others

Response procedures must address the needs of, among others:

- students with special education needs, mental health needs, social or emotional needs or language/cultural barriers, and international students
- students who are in care, receiving care or in customary care arrangements
- students who are being trafficked and who may be involved in the recruiting of other victims, including students who are returning to school after they have been involved in a trafficking situation
- parents, including those who may live overseas and/or may not speak English or French
- students 18 years or older or who are 16 or 17 years old and have withdrawn from parental control

Response procedures must be trauma-informed and culturally responsive and, at minimum, include the following elements or direction to school board employees:

- A designated contact person at the school board who is familiar with the school board anti-sex trafficking protocol and can support school board employees with response procedures.
- The process for responding to situations where a student may be at risk of or is being sex trafficked, including steps for safely reporting concerns, responding to disclosures and supporting the student's immediate physical and emotional safety.
- The process for responding to situations where a student may be engaged in the trafficking of others, including steps for safely reporting concerns, responding to disclosures and supporting students' immediate physical and emotional safety.
- The process for responding to and supporting students re-entering school after they have been involved in a trafficking situation, including efforts to ensure that adequate safety and security needs are being met to support re-integration into school.

- Guidance on the requirements related to the duty to report a child in need of protection under Section 125(1) of the *Child, Youth and Family Services Act, 2017* (<https://www.ontario.ca/laws/statute/17c14>) and under *Policy/Program Memorandum 9: Duty to Report Children in Need of Protection* (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-9>).
- Clear information on legislated privacy and confidentiality requirements when responding to a suspected or confirmed instance of sex trafficking.
- The process of notifying appropriate school/school board contacts and parents/guardians, as applicable.
- The process for school administrators to communicate and collaborate with community-based service providers, local police services, local Children's Aid Societies and Indigenous Child and Family Well-Being Agencies, as applicable and/or required by law, in responding to situations of suspected or confirmed sex trafficking of students.
- Direction on the approach to referring all affected students (including those indirectly affected, as needed) to supports.
- Direction on the approach to responding to possible sex trafficking recruitment by a student within the school, including appropriate interventions, supports and/or consequences, as applicable. Expectations should be consistent with the school board policy on progressive discipline and the mitigating circumstances that must be considered when determining the intervention, consequences or supports. For students with special education needs, information in the student's Individual Education Plan must be considered.
- Direction on the approach to appropriately respond to and meet the needs of students who are victims and survivors of sex trafficking, including access to education and facilitating school re-entry for those returning to school.
- Direction on monitoring and following-up on incidents reported (for example, check-ins with affected students).
- Direction on documenting suspected or reported sex trafficking situations and response procedures that were implemented.
- Information on culturally responsive and trauma-informed personal supports available to school board employees responding to sex trafficking situations.

Training for school board employees

The school board protocol must outline a process for providing ongoing training for school board employees, including teachers, administrators, and other school staff. Training must include the following elements:

- key definitions, common misconceptions and myths about sex trafficking, including tactics used for online luring, grooming and recruitment
- learning about human rights-based approaches to combatting sex trafficking, including the application of an equity lens, anti-racism, a gender-based lens, trauma-informed approaches and Indigenous cultural competencies
- information on protective factors and prevention-focused supports and resources
- information on risk factors and signs that a student is at risk, being lured, groomed or trafficked
- signs that a student is or involved in luring, grooming or trafficking others
- response procedures, including the duty to report, how to handle disclosures to support students' safety, how to support students impacted by sex trafficking and how to share information to ensure privacy and confidentiality
- supports available to students and affected staff, including culturally responsive supports
- additional training resources to support staff to understand and safely respond to sex trafficking
- roles and responsibilities of school board employees in raising awareness, identifying and responding to sex trafficking

The training must be tracked and be available throughout the year to all new and existing school board employees. Training must be updated and delivered regularly to stay current with emerging issues relating to trafficking and changes in community services and response.

Measuring success: accountability and evaluation

During the first year of implementation, the Ministry of Education will provide support for the review of the school board's anti-sex trafficking protocol and offer advice and suggestions, as requested by individual boards.

School boards should review their protocol, at minimum, every five years, or as part of their regular policy review cycle – whichever is the shorter period. Following the first year, school boards may be required to report to the Ministry of Education, upon the ministry's request, on their activities to achieve the expectations outlined in this policy framework.

The Ministry of Education will facilitate a community of practice to support implementation and review of school board anti-sex trafficking protocols.

The Ministry of Education will collaborate with school boards, as well as anti-human trafficking partners, to develop a performance measurement framework. This framework will monitor the effectiveness of training (for example, whether staff feel they are more aware and more able to safely identify and intervene in situations where a student is suspected of being trafficked or trafficking) and whether the protocols respond to the needs of students.

Community anti-human trafficking partners and local agencies, such as child protective services like Children's Aid Societies and Indigenous Child and Family Well-Being Agencies, should be invited to participate in the reporting process to the Ministry of Education, in collaboration with school boards, to determine how the protocols have helped children and youth in care stay out of, or exit, human trafficking. This should be measured carefully with performance indicators on how the protocols are preventing trafficking in Ontario communities.

Appendix A: glossary of terms

2SLGBTQIA: Refers to two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual.

Anti-racism: Anti-racism is a process, a systematic method of analysis, and a proactive course of action rooted in the recognition of the existence of racism, including systemic racism. Anti-racism actively seeks to identify, remove, prevent and mitigate racially inequitable outcomes and power imbalances between groups and change the structures that sustain inequities.

Cultural responsiveness: "Extends beyond language to include a much larger set of professional attitudes, knowledge, behaviours and practices, and organizational policies, standards and performance management mechanisms to ensure responsiveness to the diversity of [students] who walk through [schools'] doors."^[9]

Cultural safety: Refers to "an environment that is spiritually, socially and emotionally safe, as well as physically safe for people; where there is no assault challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience of learning together."^[10]

Equity lens: Involves "strategically, intentionally and holistically examining the impact of an issue, policy or proposed solution on underserved and historically marginalized communities and population subgroups, with the goal of leveraging research findings to inform policy."^[11]

Human rights-based approach: A "conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyze inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress."^[12]

Survivor: Used to refer to an individual who has escaped a trafficking situation, whereas *victim* is used to refer to an individual who is in the process of being recruited or is being trafficked. The term survivor may also be used to refer to an adult with lived experience of being trafficking. This approach is used for clarity and not intended to label or define an individual's experience. Individuals who have experienced sex trafficking may prefer one term over another in order to describe their experiences. School board employees should confirm how an individual impacted by trafficking prefers to be referenced.

Tactics: Traffickers may use a range of tactics to target, recruit, manipulate and coerce victims. This can often involve a process of targeting an individual's vulnerabilities then luring, grooming, isolating, manipulating, controlling and exploiting a victim to then conduct sexual acts (for example, forcing a victim to have sex, to take images of child sexual abuse). Often, a victim may not be aware that exploitation is happening, and victims may be forced to recruit other victims.

Trauma-informed approaches: Are "policies and practices that recognize the connections between violence, trauma, negative health outcomes and behaviours. These approaches increase safety, control and resilience for people who are seeking services in relation to experiences of violence and/or have a history of experiencing violence."^[13]

Victim: Used to refer to an individual who is in the process of being recruited or is being trafficked, whereas *survivor* is used to refer to an individual who has escaped a trafficking situation. The term victim is often used to refer to a child who has experienced sexual exploitation. This approach is used for clarity and not intended to label or define an individual's experience. Individuals who have experienced sex

trafficking may prefer one term over another in order to describe their experiences. School board employees should confirm how an individual impacted by trafficking prefers to be referenced.

Policy/Program Memorandum 165

Date of Issue: February 22, 2021

Effective: March 31, 2021

Subject: School board teacher hiring practices

Application: Directors of Education
School Authorities

Reference: This memorandum is effective following the revocation of Ontario Regulation 274/12, "Hiring Practices".

Purpose

The Ministry of Education is committed to having the best education system in the world in order to prepare students for success, now and in the future. To achieve this, it is critical to have a well-prepared, qualified and diverse teacher workforce with the knowledge, skills, and attributes needed to ensure that all students reach their full potential, regardless of their background or social identity.

The purpose of this memorandum is to provide direction to school boards^[2] on the development and implementation of fair, consistent, and transparent teacher hiring policies and processes. The memorandum identifies the components of a teacher hiring policy that school boards are expected to adopt as well as recommended effective practices. The expectations set out in this memorandum apply to hiring processes that begin after the revocation of Ontario Regulation 274/12: Hiring Practices, on October 29, 2020.

This memorandum is informed by leading research on pedagogy and best practices in creating a well-prepared, qualified and diverse workforce in the education sector. It is also informed by the results of consultations with stakeholders who have asked for more fairness and flexibility, mobility, merit and quality in the hiring of teachers.

Expectations for school board hiring policies

The Ministry of Education expects all hiring decisions to be made in accordance with this memorandum and in accordance with applicable laws, including the *Human Rights Code*, and with school board collective agreements. Hiring decisions must respect the rights of denominational schools and of French-language schools. Where any direction of the PPM conflicts with these other requirements, the applicable laws and collective agreement provisions prevail.

In outlining expectations for teacher hiring, this memorandum upholds the principles mandated in Regulation 298, "Operation of Schools – General", R.R.O., 1990, including those related to teacher qualifications and providing the best possible education program for students.

All school boards in Ontario's publicly funded education system are expected to establish fair, consistent, and transparent policies for teacher hiring. School boards' requirements and selection criteria for hiring should be clearly laid out and publicly available on their websites.

School boards are expected to include the following inter-dependent components in their teacher hiring policies:

- qualifications and merit
- diversity, equity, and human rights
- employment mobility
- fairness and transparency
- monitoring and evaluation

Qualifications and merit

Teacher hiring policies must adhere to the qualification requirements set out in Regulation 298, "Operation of Schools – General". School boards should also rely on the following when developing their selection and evaluation criteria:

- valuing applicants' demonstrated experience and commitment to creating a safe, inclusive, equitable, accessible, and high-quality learning environment; providing the best possible program as determined by the principal, and considering applicants demonstrated:
 - teaching commitment
 - experience or time spent in a particular school
 - suitability for a particular assignment
- valuing applicants' additional experiences, skills, backgrounds, lived and work experience
- responding to school and board priorities based on clearly defined criteria, including qualifications

Diversity, equity, and human rights

The promotion of human rights and equity is vital to achieving a diverse and representative teacher workforce to meet the needs of a diverse student body. There is a positive effect on the educational experience and outcomes of historically under-served students when teachers reflect their identities. Research demonstrates that all students benefit from having teachers with varying social identities and lived experiences. The way to achieve a diverse and representative workforce is to:

- ensure that all employment policies and practices are anti-discriminatory
- work to intentionally identify and remove barriers for Indigenous peoples and equity-seeking groups at each stage of the hiring process. This involves examining each part of the process – from setting job requirements and employment conditions to establishing the recruitment, application, screening, interview, and selection processes so that no stage creates a barrier for candidates

Employment mobility

The teacher hiring process should address employment mobility by providing equal opportunity to all OCT certified teachers to apply for any position (occasional, long-term occasional, or permanent) for which they are qualified irrespective of where they are currently employed.

Fairness and transparency

To support a fair and transparent process for candidates, teacher hiring policies should include:

- a conflict of interest disclosure policy based on the conflict of interest template provided by the Ministry of Education
- clear steps to avoid nepotism (the attached teacher hiring conflict of interest template represents the minimum standard which boards are expected to meet in developing a local policy)
- a process for adherence to the bona fide or "legitimate" job requirements and qualifications through the hiring process, while following the requirements outlined in Regulation 298, "Operation of Schools – General"
- a process and criteria for all aspects of teacher hiring – setting job requirements, postings, outreach and recruitment, application, screening, interview, and selection processes, including the communication of these
- a process for tracking and communicating with applicants
- processes to promote demographically diverse hiring panels that draw on the different experiences, skill sets, and educational and professional backgrounds in the board
- criteria for evaluating candidates based on more than one source
- provisions for structured evaluation criteria, questions and tools that prevent interview and selection bias
- a process for providing constructive interview feedback for candidates, upon request
- a process for providing accommodation based on needs related to the Human Rights Code
- a process for the disclosure of information to the appropriate bargaining units

Monitoring and evaluation

Boards should develop a monitoring and evaluation plan to review the effectiveness of their teacher hiring policy and make adjustments as necessary.

Effective practices

School boards should develop the following effective practices to remove barriers and gaps in teacher hiring. To implement the expectations outlined in this memorandum and to provide that their policies remain relevant, school boards are expected to establish a mechanism, or use existing mechanisms, to collaborate with local teachers' federations and associations.

Candidate selection practices

Newly qualified teachers

Hiring policies should acknowledge the importance of supporting renewal in the teacher workforce and help to provide career pathways for newly qualified teachers, including those who have been on long-term assignments for a number of years and have not yet secured a permanent position.

The hiring of newly qualified teachers presents:

- an opportunity to introduce new talent and skills to the school system
- a way to increase diversity
- an opportunity to strengthen pathways to the teaching profession and invest in the people who will be the experienced teachers of the future

Representation

Encouraging diversity of the teaching workforce in the school board is vital because the workforce should be reflective of the diversity in the province. Inequitable representation of historically disadvantaged groups in the workforce can lead to inequities in educational experiences and outcomes for excluded or equity-seeking students.

Monitoring and evaluation practices to strengthen accountability

Data collection

The collection of teacher workforce demographic data will provide a foundation for well-informed discussions and decision-making about the vision for a diverse and inclusive workplace, as well as the policies, programs, and procedures that will help to achieve that vision. Quantitative data collection is the first step to helping boards identify employment barriers.

When developing a voluntary workforce census and analysing results, boards should consider the following questions:

- Does the teacher workforce reflect the social identities of the student population and the region as well as the diversity of the province?
- What identities, and intersections of identities, should be represented in the teacher workforce in order to help reflect and meet the needs of the school board community and the diversity of the province?
- Are there some under-represented communities whose members are reluctant to self-identify, which makes it necessary to use alternative or supplement approaches to a census?

School boards are encouraged to explore how they can collect voluntary demographic information from candidates in order to assess whether there is diversity in the candidates that are applying for positions, as well as where there may be barriers to candidates in the teacher hiring process.

Employment Systems Review (ESR)

The collection and analysis of workforce data provides the foundation for an Employment Systems Review (ESR). Each school board should examine its employment systems to determine whether they create barriers for potential candidates or otherwise unfairly impact their chances to succeed. An effective review will also examine the organizational culture for unconscious values, assumptions, and behavioural norms that can disadvantage groups and individuals based on their personal characteristics.

A centralized applicant tracking and file management system for all hiring-related documentation is recommended as a key monitoring tool. In some boards, such a system may already be in place.

Creating a fairness in employment plan

The goal at the end of the ESR is to have identified and made recommendations to address the gaps and barriers, including workplace culture and attitudinal barriers, to a diverse and inclusive work environment. Working together, school boards and employee representatives and unions should use the result of the workforce census and ESR to develop a fairness in employment plan that includes goals and timelines for closing those gaps and removing those barriers. This can include specially constructed measures to address the ongoing effects of systemic discrimination.

Conclusion

The Ministry of Education is committed to having the best education system in the world in order to prepare our students for success, now and in the future. We recognize teachers, and the quality of their teaching, as the single most important factor in the improvement of student achievement.

Fair and transparent school board teacher hiring policies that align with the expectations outlined in this PPM will enable students to have access to teachers who can make a positive difference in their lives. They will be teachers hired based on qualifications, merit and the ability to meet the diverse needs of all students.

The ministry will continue to work with school boards and education partners to provide ongoing support and resources as boards develop and implement local teacher hiring policies and processes aligned with this PPM.

Appendix

Teacher hiring conflict of interest policy

1. Application of this policy

This policy applies to all employees of the school board involved in teacher hiring.

2. Preamble

This policy is intended to facilitate employees' ability to maintain the highest business and ethical standards, and to facilitate the protection of the integrity of employees in the course of their teacher hiring responsibilities to the school board.

This policy defines and addresses potential, apparent and actual Conflict of Interest. It provides guidance to employees so that Conflict of Interest are recognized and either avoided or resolved expeditiously through appropriate disclosure and management.

The fundamental principle underlying this policy is that employees must not permit relationships with others or external business activities to conflict, or appear to conflict, with the interests of the Board.

3. Definitions

Conflict of interest means a potential, apparent, or actual conflict where an employee's financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the employee's responsibility to the board, or with the employee's participation in any recommendation or decision pertaining to teacher hiring within the board.

Employee means full-time or part-time employees of the school board involved in teacher hiring.

External activity means any activity of an employee outside the scope of her/his employment with the school board undertaken as part of a commercial or volunteer enterprise.

Relationship means any relationship of the employee to persons of his or her immediate family whether related by blood, adoption, marriage, or common-law relationship, and any relationship of an intimate and/or financial nature during the preceding five years, any student-supervisor relationship, or any other past or present relationship that may give rise to a reasonable apprehension of bias.

Supervisor means the person to whom an employee reports.

4. Specific conflicts

Without restricting the generality of this policy, the following circumstances may give rise to Conflict of Interest:

- i) participating in, or influencing the outcome of the appointment, hiring, promotion, supervision, or evaluation of a person with whom the employee has, or has had, a relationship
- ii) acceptance by an employee of a gift from any of the following persons or entities if a reasonable person might conclude that the gift could influence the employee when performing hiring duties with the school board:
 - a) a person, group, or entity that has dealings with the school board
 - b) a person, group, or entity to whom the employee provides services in the course of his or her duties to the school board
 - c) a person, group, or entity that seeks to do business with the school board

An employee who is offered a gift in the circumstances described in ii) above shall, in writing, notify his or her supervisor.

5. Procedures for disclosure of Conflict of Interest

- i) All employees have an obligation to disclose to their supervisor or the Director of Education any conflict of interest. The employee must disclose in writing as soon as she/he could reasonably be aware that a conflict of interest exists. The existence of a conflict of interest does not necessarily preclude involvement in the issue which has given rise to the conflict ("the matter"). The employee must declare, in writing, the nature and extent of the conflict of interest no later than any meeting or process in which the employee participates and at which the matter is to be considered. The employee must refrain from taking part in any discussion or decision-making in relation to the matter, and withdraw from any meeting or process when the matter is being discussed until a decision has been reached regarding the manner in which the conflict of interest will be addressed.
- ii) A conflict of interest involving an employee may also be reported to a supervisor by any other person. A report to a supervisor about the existence of a potential, apparent or actual conflict of interest shall be made in writing.

6. Procedures for management of Conflict of Interest

- i) If the supervisor or Director of Education to whom the disclosure is made also has a conflict of interest, the disclosure should be made in writing to the person at the next highest level of authority.
- ii) The supervisor or Director of Education will investigate to determine if a conflict of interest exists. Where appropriate, the supervisor or Director of Education may consult with the employee and/or others.
- iii) If the supervisor or Director of Education determines there is a conflict of interest, the supervisor or Director of Education should resolve the matter as per paragraph 7 below and shall document, in writing, any remedies that have been applied.

7. Options for resolving Conflict of Interest

If a supervisor or Director of Education determines that a conflict of interest exists, the supervisor or Director of Education will decide a course of action from the following options:

- i) If the matter pertains to paragraph 4 i) above, and where the employee may be knowledgeable and have information central to the discussion, the employee with a conflict or appearance of conflict may be permitted to be involved in the matter without participating in the final decision described in paragraph 4 i) above
- ii) If an employee fails to disclose a conflict as per paragraph 5 above, a range of remedies can be applied, up to and including the termination of employment

8. Contraventions of this policy

Adherence to this policy, in letter and in spirit, is crucial to the relationships of trust that exist between the board, its employees, and the public. Contraventions of this policy, whether arising from dishonesty or inattention, undermine these relationships and may lead to disciplinary action. For employees, disciplinary sanctions for breach of this policy may take a range of forms appropriate to the nature of the contravention and could include dismissal from employment.

Policy/Program Memorandum 164

Date of issue: August 13, 2020

Effective: Until revoked or modified

Subject: Requirements for Remote Learning**Application:** Directors of Education

Chairs of District School Boards

Supervisory Officers and Secretary-Treasurers of School Authorities

Principals of Elementary Schools

Principals of Secondary Schools

Executive Director, Provincial and Demonstration Schools

Purpose

The Ministry of Education is committed to ensuring that students^[1] across Ontario receive a consistent approach to remote learning in times of extended interruption to conventional in-person learning, such as when public health emergencies, pandemics, natural disasters, or other unplanned events force the closure of classrooms or schools.

This memorandum provides direction to school boards^[2] on remote learning requirements, including implementation and reporting. This memorandum also identifies effective practices that school boards should develop to support students during remote learning.

During full or partial school closures, or under any other periods of remote learning, it is crucial to keep students engaged in their learning. Students should have access to a school community, a support network, and authentic educational experiences in order to continue to progress in their learning.

This memorandum must be implemented in alignment with collective agreements. Where there is a conflict between the memorandum and a collective agreement, the collective agreement must prevail.

Definitions of “remote”, “synchronous”, and “asynchronous” learning

In the context of this memorandum, “remote learning”, “synchronous learning”, and “asynchronous learning” mean the following:

Remote learning

Learning that occurs when classes are taught at a distance and when students and educators are not in a conventional classroom setting. Remote learning takes place in times of extended interruption to in-person learning – for example, as a result of a pandemic or natural disaster. Classes can be synchronous or asynchronous and can be taught online through a Learning Management System (LMS) or by using videoconferencing tools. In some cases, they may be delivered through emails, print materials, broadcast media, or telephone calls.

Synchronous learning

Learning that happens in real time. Synchronous learning involves using text, video, or voice communication in a way that enables educators and other members of the school- or board-based team to instruct and connect with students in real time. Synchronous learning supports the well-being and academic achievement of all students, including students with special education needs, by providing educators and students with an interactive and engaging way to learn. It helps teachers provide immediate feedback to students and enables students to interact with one another.

Asynchronous learning

Learning that is not delivered in real time. Asynchronous learning may involve students watching pre-recorded video lessons, completing assigned tasks, or contributing to online discussion boards.

Remote learning requirements for school boards

During periods of remote learning, school boards are required to provide opportunities for students to engage in synchronous learning. They must adhere to the following requirements:

1. minimum requirements for engaging students during remote learning
2. minimum requirements for synchronous learning
3. process for exemption from synchronous learning
4. protocols for delivering remote learning
5. access to remote learning devices – such as laptops or tablets – and the Internet
6. standardized suite of synchronous learning platforms
7. cyber security, privacy, and online safety

1. Minimum requirements for engaging students during remote learning

During remote learning, students and parents^[3] must be provided with a daily schedule or timetable that includes 300 minutes of learning opportunities, with a combination of synchronous and asynchronous learning activities. Programming must be based on the full Ontario curriculum and include opportunities for guided instruction, large- and small-group learning, synchronous check-ins, and asynchronous independent work.

Teachers must be available to students at all times during the teachers' assigned teaching timetables, as they would be if they were face-to-face in a classroom setting.

2. Minimum requirements for synchronous learning

During periods of remote learning where students are at home for more than three days in a given week, boards must ensure that students are provided with synchronous learning. The minimum requirements for synchronous learning help to ensure that students have access to both synchronous and asynchronous learning opportunities.

The scheduled synchronous learning sessions must be communicated to parents and students. Educators should use their professional judgement to provide some flexibility to students on an individual basis when students are unable to participate in synchronous learning.

The table below outlines the minimum amount of time per day that students, depending on their grade level, must be provided with synchronous learning as part of their scheduled or timetabled learning.

Division	Grade level of students	Daily minimum synchronous learning time requirement ^[4]
Elementary	Kindergarten	180 minutes
Elementary	Grades 1 to 3	225 minutes
Elementary	Grades 4 to 8	225 minutes
Secondary	Grades 9 to 12	The higher of 60 minutes for each 75-minute class period ^[5] or 225 minutes per day for a full course schedule

The synchronous learning time requirements outlined in the table above may be divided into shorter periods throughout the school day. For example, a child in Kindergarten may participate in an opening exercise for 10 minutes with their whole class, as well as a combination of whole-group and small-group sessions throughout the school day, and a 10-minute closing exercise with their class at the end of the school day.

It is expected that synchronous learning will be provided for large and small groups of students each day, in a manner similar to in-person classroom teaching. Synchronous learning time may include students working independently and in small groups while engaged in a virtual classroom with the teacher overseeing their learning and available for questions. The synchronous learning requirements are a part of the 300-minute instructional day during which teachers remain available to students as per the previous section "Minimum Requirements for Engaging Students during Remote Learning."

Additional group meetings may take place between educators and students as needed to address specific learning needs. Where students are able to attend in-person classes and also participate in remote learning, school boards should plan, where possible, to assign different educators to facilitate both formats of instruction. This will ensure that students are engaged in their learning with appropriate levels of support.

3. Process for exemption from synchronous learning

School boards must allow for students to be exempted from the minimum requirements for synchronous learning stated above, on an individual basis.

School boards must develop a process to obtain and acknowledge the receipt of exemption forms. Requests for an exemption must be made in writing. Exemption from synchronous learning may be requested by parents or by students who are 18 years of age or older, and students who are 16 or 17 years of age but have withdrawn from parental control.

To support meaningful access to education, alternative learning approaches must be put in place for all exempted students – for example, correspondence, print, or broadcast media instruction that is based on the individual student's needs and circumstances. Additional supports for parents should also be considered. Exempted students must be provided with a daily schedule or timetable in accordance with the 300-minute instructional day.

4. Protocols for delivering remote learning

School boards must ensure that the delivery of remote learning includes the following elements:

Communication processes

- School boards must inform students and parents about remote learning requirements, including the process for exemption from synchronous learning, and expectations for student attendance and engagement.
- School boards should clearly communicate a process whereby parents can inform the school of any issues that their child may be experiencing with remote learning, and provide steps that parents may take to resolve any issues.
- Teachers should communicate with the principal, students, and parents a regular schedule of synchronous learning sessions that fulfills the minimum time requirements, as part of their remote learning timetable.
- Teachers should accommodate parents who request a meeting through other modes (e.g., by telephone, through a virtual platform) when an in-person meeting is not possible.

Differentiated assessment and instruction

- Teachers should provide daily opportunities for each student to receive meaningful feedback.
- The policy outlined in *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools, 2010* continues to apply during periods of remote learning and teachers should employ assessment *for, as, and of* learning (including diagnostic, formative, and summative assessment), as required.
- Teachers should provide differentiated support to all students, including English and French Language Learners, and students with special education needs who have an Individual Education Plan (IEP).

Supporting students with special education needs

- Where appropriate, educators should provide more opportunities than the minimum requirements for synchronous learning for students with special education needs, based on their individual strengths and needs, and provide differentiated support and instruction.
- Educators should continue to provide accommodations, modified expectations, and alternative programming to students with special education needs, as detailed in their IEPs. If it is not possible to meet a student's needs through synchronous learning, educators and families will work together to find solutions.
- School boards are encouraged to provide continued access to assistive technology, including Special Equipment Amount (SEA) equipment, where possible, to support students with special education needs as they participate in remote learning. In situations where access to assistive technology is not feasible, educators are expected to work with students and parents to determine workable solutions on an individual basis.

Student attendance and safety

- Student attendance must be taken daily at the elementary level and per course at the secondary level. Principals must ensure that student attendance records are submitted and that a staff member is assigned to contact parents in the case of an unexpected absence, in accordance with school and board attendance protocols.

- In cases where a student is unable to participate in a synchronous learning session – for example, their device may be shared with a parent in the home – teachers should be informed, and they should make curriculum and assessment accommodations on an individual basis.
- Boards may review how attendance counsellors could be used to further support student attendance, engagement, and well-being.
- Boards must ensure that teachers follow school board-established procedures related to online safety, privacy, and cyber security.

5. Access to remote learning devices – such as laptops or tablets – and the Internet

School boards must work collaboratively with parents to ensure that all students have access to remote learning devices and the Internet during remote learning. School boards are expected to provide remote learning devices and Internet connectivity to students who do not otherwise have access to them, and to develop policies on how these resources will be allocated on an equitable basis.

In situations where students do not have access to remote learning devices or the Internet, and a school board is unable to provide this support, school boards should have a process in place to work collaboratively with students and parents to establish alternative arrangements on an individual basis.

School boards should also consider how to support students in Education and Community Partnership Programs (ECPPs), including students in youth justice ECPPs, where access to the Internet may not be available or may be restricted due to a court order.

Teachers should work from a school or board facility during remote learning, where possible, with reasonable accommodations if required. If this is not possible, teachers should maintain regular communication with the principal. School boards should support educators in accessing remote learning devices and tools to support remote and synchronous instruction.

6. Standardized suite of synchronous learning platforms

School boards must provide teachers with a standardized suite of synchronous learning platforms to ensure that students have a consistent learning experience, and provide teachers with training on these platforms. The platforms will allow real-time communication between educators, students, and parents during remote learning.

Synchronous learning platforms should include live video, audio, and chat features and be fully accessible. To support student safety and well-being, school boards should consider providing a tool that allows educators to control student microphones and cameras. School boards may also wish to consider synchronous learning platforms that include virtual whiteboards, recording features, participant polling features, and file uploading and sharing features.

7. Cyber security, privacy, and online safety

Ensuring the protection of privacy and the cyber security of educators, students, and parents is paramount to supporting a safe and inclusive learning environment for remote learning.

School boards must review their cyber security and privacy policies, and develop updates related to remote learning. These policies must include clear protocols and procedures for educators to follow so that they can ensure student safety and security during remote learning. These protocols must be clearly communicated to educators, students, and parents.

Board protocols should ensure that students and educators do not share passwords, that student initials are used for account creation instead of full names, that teachers are the last ones to leave synchronous learning sessions, and that students and teachers are aware of and respect board policies regarding digital conduct and privacy.

School boards should provide professional resources to all school staff to increase cyber security awareness.

Effective practices

To support students and educators during periods of remote learning, school boards should develop effective practices, including:

1. providing technical support for remote learning
2. providing educator training
3. using standardized platforms
4. setting out roles and responsibilities

1. Providing technical support for remote learning

School boards should provide technical support to educators, students, and parents for the use of board-provided devices and access to the Internet during remote learning.

Technical support should be responsive to immediate needs. It should assist users who have specific technological problems and questions. In the context of remote learning, technical support should span the full spectrum of users' technological needs, including devices, connectivity, security, and digital learning tools and applications.

Board staff, educators, students, and parents should know where to seek help when they encounter technical issues during remote learning. School boards should provide clear information on who can provide help (e.g., board staff, service providers), and how users can access that help (e.g., by email, telephone).

2. Providing educator training

Educators should have access to subject- and division-specific training to support remote learning.

School boards should deliver remote learning strategies and educator training related to:

- student and staff safety
- student and parent comfort levels with technology, and the levels of support that may be required
- effective use of digital tools
- effective pedagogy and assessment
- student and staff mental health and well-being
- accessibility and differentiated instruction for all students, including students with special education needs

3. Using standardized platforms

Educators should use board-approved synchronous learning platforms that are fully accessible.

Principals should ensure that educators have access to a suite of appropriate technology products, tools, and resources to support the delivery of remote learning. To ensure that students have a consistent learning experience, the maximum number of synchronous learning platforms used within a school should be three, where possible.

4. Setting out roles and responsibilities

School boards should consider the rights and responsibilities of students, parents, teachers, educational assistants, early childhood educators, and other school and board staff during remote learning.

Teachers are expected to carry out the instructional duties assigned to them by their principals and to comply with all professional standards and obligations under the Education Act and the Ontario College of Teachers Act, 1996. These include having responsibility for the effective instruction and evaluation of the progress of students in the subjects and classes assigned by the principal (including by electronic means), preparing and submitting lesson plans to the principal, and communicating regularly with parents.

Technology Enabled Learning and Teaching (TELT) contacts at each school board can play an active role in supporting communication of the policy, educator training, and implementation of remote and synchronous learning. For example, they can support the use of the ministry's Virtual Learning Environment, which provides educators with training related to digital learning tools.

Implementation

School boards must ensure that the requirements outlined in this memorandum are implemented by the beginning of the 2020-21 school year.

School boards are encouraged to consider local needs and circumstances, and to consult with local partners in their implementation of remote learning. In the French-language education system, the implementation of remote and synchronous learning should take into account Ontario's *aménagement linguistique* policy and support the vitality of the French-language culture in a minority setting.

Monitoring and evaluation

School boards are required to report at the end of the school year on their activities to fulfill the direction outlined in this memorandum.

School boards are expected to develop and implement a process for regular data collection, and to collect data related, but not limited, to:

- areas in which educators require additional support in implementing remote learning, including providing student and educator access to technology and the Internet
- strategies to provide training related to the identified areas of need, including learning and well-being
- details of implementation progress and monitoring activities, including the number of exemptions from synchronous learning and what alternative approaches were used
- parent and student feedback on the impact of remote learning, including:
 - level of student engagement in learning
 - ease of online learning participation
 - access to teachers
 - ease and access to technology
- information on how parent and student feedback is being taken into account in the delivery of remote learning

Data covering the school year must be provided to the ministry no later than July 31 of each year in which there are periods of remote learning.

School boards are expected to make adjustments to their implementation of the requirements in this memorandum based on parent, student, and staff feedback collected throughout the school year.

Upon request of the ministry, school boards may be required to report on the following data during the school year:

- for any given calendar month, the number of students engaged in remote learning
- for any given calendar month, the number of students provided with the minimum requirements for synchronous learning
- for any given calendar month, the number of students exempted from the minimum requirements for synchronous learning

Policy/Program Memorandum 163

Date of Issue: September 9, 2019

Effective: Until revoked or modified

Subject: School Board Policies on Service Animals

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Executive Director, Provincial and Demonstration Schools

Principals of Elementary Schools Principals of Secondary Schools

Purpose

All school boards^[1] in Ontario are required to develop, implement, and maintain a policy on student use of service animals in schools.^[2] The purpose of this memorandum is to provide direction to school boards on the development and implementation of their policy. The ministry's expectations regarding the components of a board's policy are identified in this memorandum as well as the implementation and reporting requirements.

School boards are expected to:

- allow a student to be accompanied by a service animal in school when doing so would be an appropriate accommodation to support the student's learning needs and would meet the school board's duty to accommodate students with disabilities under the Ontario Human Rights Code
- make determinations on whether to approve requests for a service animal on a case-by-case basis, based on the individual needs of each student

- put in place consistent and transparent processes that allow for meaningful consideration of requests for service animals to accompany students in school

This memorandum applies to all publicly funded elementary and secondary schools, including extended-day programs operated by school boards. However, this memorandum does not apply to licensed child-care providers, including those operating on the premises of publicly funded schools.

Context

The Ministry of Education is committed to supporting school boards in providing appropriate accommodations to all students with demonstrable learning needs, including special education programs and services in Ontario's schools.

The term “service animal” refers to any animal that provides support to a person with a disability. Traditionally, service animals have been dogs, and dogs remain the most common species of service animal; however, other species may also provide services to individuals with disabilities. The types of functions performed by service animals are diverse, and may or may not include sensory, medical, therapeutic, and emotional support services.

In Ontario, the Accessibility for Ontarians with Disabilities Act, 2005 (the “AODA”) sets out a framework related to the use of service animals by individuals with a disability. The Blind Persons' Rights Act sets out a framework specifically for the use of guide dogs for individuals who are blind.

People with disabilities who use service animals to assist them with disability-related needs are protected under the ground of “disability” in the Ontario Human Rights Code. Under the Human Rights Code, school boards have a duty to accommodate the needs of students with disabilities up to the point of undue hardship. The Ontario Human Rights Commission's *Policy on Accessible Education for Students with Disabilities* (2018) states that: “Depending on a student's individual needs and the nature of the education service being provided, accommodations may include ... modifying ‘no pets’ policies to allow guide dogs and other service animals.”^[3]

Nothing in this memorandum detracts from other legal obligations of school boards under applicable law, including the Ontario Human Rights Code.

Definition of “service animal”

In the context of this memorandum, “service animal” means an animal that provides support relating to a student's disability to assist that student in meaningfully accessing education. Due consideration should be given to any documentation on how the service animal assists with the student's learning needs, and disability-related needs (e.g., documentation from the student's medical professionals).

School boards must make a determination, on a case-by-case basis, as to whether a service animal may accompany a student taking into account all the circumstances, including the needs of the student and the school community and a school board's obligation to provide meaningful access to education.

School boards may also consider including service animals in training in their service animal policies.

Components of school board policies on service animals

When developing their policy on student use of service animals, school boards must respect their obligations under the Ontario Human Rights Code, the AODA, the Blind Persons' Rights Act, and collective agreements as well as other applicable laws and government policies. When developing their policies on student use of service animals, school boards are encouraged to consult with local partners, as appropriate.

Each school board policy on student use of service animals must contain, at a minimum, the following components:

Communication Plan. The school board policy should say how the school board will inform the school community about the process by which parents^[4] can apply to have their child's service animal in the school. It should also say how it will inform the school community of the presence of any service animals at the school.

Process. The school board policy should lay out how requests for students to be accompanied by service animals in schools can be made and the steps in the school board decision-making process. School board processes must be timely, equitable, and readily available, and decisions must be based on a student's individual strengths and needs.

Policies should include the following:

- a clearly articulated process for a parent to follow when making a request for a student to be accompanied by a service animal in school, including:
 - a primary point of contact
 - supporting materials for initiating requests (e.g., templates)
- information around the process through which a determination is made about whether or not a service animal is an appropriate accommodation. This could include:
 - a meeting or meetings for all appropriate parties (e.g., parents, school staff) to discuss the request for a service animal
 - a list of documentation that a parent must provide
 - a list identifying who must be consulted in making the determination
- information about the factors the board will consider when making a case-by-case determination, including:
 - any documentation on how the service animal supports the student's learning needs and/or disability-related needs, including documentation from the student's medical professionals
 - the disability-related needs and learning needs of the student
 - other accommodations available
 - the rights of other students and the needs of the school community
 - any training or certification of the service animal
 - any special considerations that may arise if the animal is a species other than a dog
- consideration of privacy rights of the student seeking to bring a service animal to school
- information about how the school board will document its decision regarding a request. For example, if a school board approves a request, that information could be recorded in the student's Individual Education Plan (IEP), if one exists
- *if the school board approves a request for a service animal:* a process for developing a plan that addresses:
 - the ongoing documentation required for the animal (e.g., annual vaccination records)
 - the type of support the service animal will provide to the student
 - who will be the handler of the service animal while at the school
 - a plan for how the care of the animal will be provided (including supporting the safety and biological needs of the animal)
 - how the animal will be readily identifiable
 - transportation of the animal to and from school
 - timeline for implementation
- *if the school board approves a request for a service animal:* strategies for sharing information with members of the broader school community who may be impacted by the decision (e.g., other students, parents, educators, school staff, volunteers, Special Education Advisory Committees) and organizations that use the school facilities (e.g., licensed child-care providers operating in schools of the board), while identifying how the student's privacy will be considered
- *if the school board denies a request for a service animal:* a statement that the school board will provide a written response to the family that made the request in a timely manner

Health, Safety, and Other Concerns. The school board policy should include a protocol for the board to hear and address concerns from other students and staff who may come in contact with a service animal, and from parents of other students, including health and safety concerns such as allergies and fear or anxiety associated with the animal. Wherever possible, school boards should take steps to minimize conflict through cooperative problem-solving, and/or other supports which may include training for staff and students.

Roles and Responsibilities. The school board policy should clearly outline the roles and responsibilities of students, parents, and school staff regarding service animals at school, taking into account local circumstances.

Training. The school board policy should consider strategies for providing training related to service animals, as appropriate, for school staff who have direct contact with service animals in schools.

Review of School Board Service Animal Policies and Data Collection. The school board policy should be reviewed by the board on a regular basis.

School boards are expected to develop a process for data collection and to collect data regularly, including, but not limited to:

- total number of requests for students to be accompanied by service animals
- whether requests are for elementary or secondary school students
- the number of requests approved and denied
- if denied, the rationale for the decision, including a description of other supports and/or services provided to the student to support their access to education
- species of service animals requested and approved
- types of needs being supported (e.g., medical, physical, emotional). School boards should use this data to inform their cyclical policy reviews

Implementation

School boards must implement and make publicly available on their websites their newly developed or updated policies and procedures on student use of service animals by January 1, 2020.

School board reporting

School boards are required to report to the Ministry of Education, upon request, regarding their activities to achieve the expectations outlined in this memorandum. This could include specific data collected.

Policy/Program Memorandum 162

Date of Issue: August 21, 2019

Effective: Until revoked or modified

Subject: Exemption from instruction related to the Human Development and Sexual Health Expectations in *The Ontario Curriculum: Health and Physical Education, Grades 1–8, 2019*.

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Superintendents of Schools

Principals of Elementary Schools

Principals of Provincial and Demonstration Schools

Introduction

The purpose of this memorandum is to inform school boards^[1] that they must develop and implement a policy or procedure that allows for students to be exempted, at the request of their parents,^[2] from instruction related to the Human Development and Sexual Health expectations found in strand D of *The Ontario Curriculum: Health and Physical Education, Grades 1–8, 2019*.

The Education Act authorizes the Minister of Education to establish policies with respect to issuing curriculum guidelines.^[3]

The policy/procedure to be implemented by school boards will allow for students to be exempted from instruction on an individual basis, according to the following conditions:

- exemptions are limited to instruction related to the Human Development and Sexual Health expectations found in strand D of *The Ontario Curriculum: Health and Physical Education, Grades 1–8, 2019*. Students will not be exempted from instruction related to any other expectations in this curriculum or related to expectations in other curriculum subjects

- exemptions will be granted only for instruction related to *all* the Human Development and Sexual Health expectations in a student's grade, and not for instruction related to selected expectations or groups of expectations
- references to human development and sexual health made by teachers, board staff, or students outside the intentional teaching of content related to the Human Development and Sexual Health expectations are not included in the exemption policy/procedure
- there will be no academic penalty for an exemption
- there will be no assessment, evaluation, or reporting of exempted students' achievement of Human Development and Sexual Health expectations in their particular grade. Exempted students' grade in health and physical education will be determined on the basis of the overall expectations in strand D of the curriculum, without consideration of the specific expectations under Human Development and Sexual Health

As part of the implementation of this policy/procedure, school boards and/or schools may choose to hold meetings with parents and other community members to describe the purpose and scope of the policy/procedure. Such meetings would assist parents in deciding if they wish to remove their children from instruction related to Human Development and Sexual Health.

Context – roles and responsibilities

Parents play an important role in their children's learning. They are the primary educators of their children with respect to learning about values, appropriate behaviour, and ethnocultural, spiritual, and personal beliefs and traditions, and are their children's first role models. It is therefore important for schools and parents to work together to ensure that home and school provide a mutually supportive framework for young people's education.

Parents who become familiar with the health and physical education curriculum can better appreciate what is being taught in each grade and what their children are expected to learn. This awareness will enhance parents' ability to discuss their children's learning with them, to communicate with their children's teachers, and to ask relevant questions about their children's progress. It could also inform their decision making about seeking an exemption under their school board's policy/procedure. Parents must be informed of the school board policy/procedure that allows for students to be exempted, at their parents' request, from instruction related to the Grade 1 to 8 Human Development and Sexual Health expectations in strand D.

Teachers are responsible for using appropriate and effective teaching strategies to help students achieve the health and physical education curriculum expectations. They bring enthusiasm and varied teaching and assessment approaches to the classroom, addressing individual students' needs and ensuring sound learning opportunities for every student. The attitude with which teachers approach student learning in health and physical education is critical, as teachers are important role models for students.

To increase their comfort level and their skill in teaching health and physical education and to ensure effective delivery of the curriculum, teachers are expected to reflect on their own attitudes, biases, and values with respect to the topics they are teaching and seek out current resources, mentors, and professional development and training opportunities, as necessary.

As part of effective teaching practice, teachers communicate with parents about what their children are learning. Communication enables parents to work in partnership with the school, promoting discussion, follow-up at home, and student learning in a family context.

Teachers must follow their school board's policy/procedure that allows for students to be exempted, at their parents' request, from instruction related to the Grade 1 to 8 Human Development and Sexual Health expectations in strand D.

Principals are community builders who create a healthy and safe school environment that is welcoming to all, and who ensure that all members of the school community are kept well informed.

Principals work in partnership with teachers and parents to ensure that each student has access to the best possible educational experience. They can provide support for the successful implementation of the health and physical education curriculum by emphasizing the importance of the curriculum within the framework of a healthy, safe, inclusive, and accepting school.

Principals must follow their school board's policy/procedure that allows for students to be exempted, at their parents' request, from instruction related to the Grade 1 to 8 Human Development and Sexual Health expectations in strand D.

Minimum requirements of school board exemption policies/procedures

School board policies and implementation plans should take into account local needs and circumstances. When developing their policies, school boards are encouraged to consult with local partners, as appropriate. However, each school board policy/procedure must include the

following requirements, under three distinct headings: Notice and communications; Process; and Supervision of exempted students.

Notice and communications

The school board policy/procedure will require schools to:

- provide parents with a list of all Human Development and Sexual Health expectations *by grade*
- inform parents that they can choose to have their child or children exempted from instruction related to Human Development and Sexual Health expectations by completing and returning an exemption form for each child
- make a standard exemption form available to parents every school year, accommodating the timelines specified below. The school may use the sample form provided in the Appendix to this memorandum or create their own form, provided that it contains, at a minimum, all the elements of the sample form. Schools may also choose to accept separate written requests for an exemption
- notify all parents at least twenty school days before the start of the “period of instruction”^[4] related to the Human Development and Sexual Health expectations
- inform parents of the date by which the completed exemption form or written request must be submitted in order for their child to be exempted from instruction related to the Human Development and Sexual Health expectations. The deadline for parents to submit their completed exemption form or written request must not be more than five school days before the start of the period of instruction
- make clear that, in the case of an unforeseen event,^[5] school boards and schools have the authority to move the period of instruction to a later date in the school year and must give notice of the change to parents as soon as reasonably possible

Process

The school board policy/procedure will require schools to:

- allow students to be exempt from instruction related to the Human Development and Sexual Health expectations without academic penalty when a request for an exemption has been made from a parent in writing in accordance with this memorandum
- develop a process to acknowledge the receipt of exemption forms from parents
- make the final decision about whether to accept or reject a request for an exemption that does not fall within the parameters set out in this memorandum (e.g., if the exemption form is returned to the school during the scheduled period of instruction rather than by the school's official submission date).

Supervision of exempted students

Because school boards are responsible for student safety and well-being during instructional time, options for supervision must be offered. The school board policy/procedure will require that parents be given the choice of how their exempted child will be supervised during the exemption period. Parents must choose **one** of the following options for their child:

- to remain in the classroom during the exemption period without taking part in instruction in Human Development and Sexual Health, and to be assigned work or activities by the teacher that are *unrelated* to Human Development and Sexual Health *or*
- to leave the classroom for the duration of the instruction and remain in the school under supervision. The student's activities during the exemption period will be at the discretion of the teacher or principal. The supervision of the student will be determined by the school according to the board's policy/procedure *or*
- to be released into the care of the parent or the parent's approved designate

Implementation

School boards must implement their exemption policy/procedure and make it publicly available on their website *before* the period of instruction related to Human Development and Sexual Health in the 2019–20 school year, and no later than November 30, 2019. It is expected that the communications to parents required by this memorandum will be issued within stated timelines every school year.

If an exemption policy/procedure is not implemented in a school board by November 30, 2019, then the provisions outlined in this memorandum can be used on a temporary basis until the school board's policy/procedure is in place.

Appendix: sample exemption form

Exemption from instruction in Human Development and Sexual Health

Having reviewed the Human Development and Sexual Health expectations in the elementary Ontario Health and Physical Education curriculum (<http://www.edu.gov.on.ca/eng/curriculum/elementary/subjects.html>) for my child's grade, I would like my child to be exempted from instruction related to these expectations, without academic penalty.

During the exemption period, I would like my child to *[select one only]*:

- remain in the classroom without taking part in instructional activities related to Human Development and Sexual Health. I understand that my child's activities *unrelated* to Human Development and Sexual Health during the exemption period will be at the discretion of the teacher
- leave the classroom and remain in the school under staff supervision. I understand that my child's activities during the exemption period will be at the discretion of the teacher or principal
- be released into my care or the care of my approved designate

Note: If one of the three options above is not selected, the principal or the principal's designate will determine where in the school the child is to remain during the exemption period.

Notice of period of instruction^[6]

For the 20__ - __ school year, the period of instruction related to the Human Development and Sexual Health expectations in your child's grade will start on _____ *[insert date]* and end on _____ *[insert date]*. The daily schedule for this instruction is attached.

I understand and agree with the following statements:

- the Human Development and Sexual Health expectations in strand D of the health and physical education curriculum are different in every grade, so I must submit a completed exemption form every school year, for each child, in order for the child to be exempted from instruction related to Human Development and Sexual Health expectations in that school year
- references to or conversations about sexual health-related concepts among teachers, school staff, or other students outside formal instruction in Human Development and Sexual Health are not subject to this exemption
- my child will continue to receive instruction related to all other elementary health and physical education curriculum expectations
- requests for exemption made by phone, or exemption forms or written requests that do not have a parental signature, will not be accepted
- this exemption form must be returned by _____ *[enter date]* for my child to be excluded from instruction related to the Human Development and Sexual Health expectations in strand D of *The Ontario Curriculum: Health and Physical Education, Grades 1–8, 2019*

Child's last name

Child's first name

Parent's name (print)

Parent's signature

Grade and class

Date

Please note:

You will receive an acknowledgement from the school by

_____ [letter/email/text] by _____ [insert date].

If you do not receive an acknowledgement, please contact:

_____ [contact name here].

Please return this signed form no later than: _____ [insert date]

Policy/Program Memorandum 161

Date of Issue: February 28, 2018

Effective: September 1, 2018, until revoked or modified

Subject: Supporting children and students with prevalent medical conditions (anaphylaxis, asthma, diabetes, and/or epilepsy) in schools

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Principals of Elementary Schools

Principals of Secondary Schools

Principals of Provincial and Demonstration Schools

Introduction

To promote the safety and well-being of students,^[1] the Ministry of Education expects all school boards^[2] in Ontario to develop and maintain a policy or policies to support students in schools^[3] who have asthma, diabetes, and/or epilepsy, and/or are at risk for anaphylaxis. These medical conditions, hereafter referred to as prevalent medical conditions,^[4] have the potential to result in a medical incident^[5] or a life-threatening medical emergency.

The purpose of this memorandum is to provide direction to school boards about the components that should be included in their policy or policies to support students with prevalent medical conditions in schools. This memorandum must not be implemented in a manner that violates existing provisions of collective agreements and related memoranda of understanding among parties to such agreements.

School board policies should be implemented as soon as possible, but no later than September 1, 2018.

As stipulated in Sabrina's Law, 2005, and Ryan's Law, 2015, all school boards must have policies to support students at risk for anaphylaxis and students with asthma. School boards should review their policies on anaphylaxis and asthma and ensure that their policies, at a minimum, meet the expectations outlined in this memorandum.

If school boards currently have policies to support students with diabetes or epilepsy, boards should ensure that their policies, at a minimum, meet the expectations outlined in this memorandum.

This memorandum complements other Ministry of Education policies and programs, including those that serve students with special education needs. Its implementation should be aligned with that of other memoranda, including Policy/Program Memoranda Nos. 81 and 149.^[6]

Roles and collective responsibilities

Supporting students with prevalent medical conditions in schools is complex. A whole-school approach is needed where education and community partners, including health care professionals,^[7] have important roles to play in promoting student health and safety and in fostering and maintaining healthy and safe environments in which students can learn.

To support school boards, the Ministry of Education is providing evidence-based resources online, on the ministry's Prevalent Medical Conditions web portal. These resources have been developed by various health and education partners (Asthma Canada, Diabetes Canada, Canadian Paediatric Society, Epilepsy Ontario, Food Allergy Canada, The Lung Association – Ontario, Ophea, and Ontario Education Services Corporation).

The ministry will continue to engage in dialogue with school boards and education partners, sharing information and best practices, to ensure successful implementation of board policies.

School board policies on prevalent medical conditions

In developing, revising, implementing, and maintaining their policies to support students with prevalent medical conditions, school boards must respect their obligations under all applicable legislation, policies, and collective agreements. School boards should also take into account local needs and circumstances, such as geographical considerations, demographics, and cultural considerations, as well as the availability of supports and resources, including school staff,^[8] within the school board and the community.

A culture of collaborative professionalism is grounded in a trusting environment where schools, school boards, federations, unions, and the ministry create the necessary conditions, including consideration of time and resources, that enable education stakeholders to learn with, and from, each other.

In developing or revising their policies, school boards should consult with students, parents,^[9] principals' associations, teachers' federations, education workers' unions, school staff, volunteers working in the schools, their school councils, Joint Health and Safety Committees, and community health care professionals. This consultation should also include Parent Involvement Committees^[10] and Special Education Advisory Committees.

Components of school board policies

All school board policies on supporting students with prevalent medical conditions are expected to contain, at a minimum, the following components.

Policy statement

The school board policy statement on supporting students with prevalent medical conditions should, at a minimum, include the following goals:

- to support students with prevalent medical conditions to fully access school in a safe, accepting, and healthy learning environment that supports well-being
- to empower students, as confident and capable learners, to reach their full potential for self-management^[11] of their medical condition(s), according to their Plan of Care^[12]

Roles and responsibilities

School board policies should clearly articulate the expected roles and responsibilities of parents and school staff in supporting students with prevalent medical conditions, as well as the roles and responsibilities of the students themselves. School board policies should also contain a requirement that schools communicate the roles and responsibilities clearly to parents, students, and school staff.

a) Parents of children with prevalent medical conditions

As primary caregivers of their child, parents are expected to be active participants in supporting the management of their child's medical condition(s) while the child is in school. At a minimum, parents should:

- educate their child about their medical condition(s) with support from their child's health care professional, as needed
- guide and encourage their child to reach their full potential for self-management and self-advocacy
- inform the school of their child's medical condition(s) and co-create the Plan of Care for their child with the principal or the principal's designate
- communicate changes to the Plan of Care, such as changes to the status of their child's medical condition(s) or changes to their child's ability to manage the medical condition(s), to the principal or the principal's designate
- confirm annually to the principal or the principal's designate that their child's medical status is unchanged
- initiate and participate in annual meetings to review their child's Plan of Care
- supply their child and/or the school with sufficient quantities of medication and supplies in their original, clearly labelled^[13] containers, as directed by a health care professional and as outlined in the Plan of Care, and track the expiration dates if they are supplied

- seek medical advice from a medical doctor, nurse practitioner, or pharmacist, where appropriate

b) Students with prevalent medical conditions

Depending on their cognitive, emotional, social, and physical stage of development, and their capacity for self-management, students are expected to actively support the development and implementation of their Plan of Care. Students should:

- take responsibility for advocating for their personal safety and well-being that is consistent with their cognitive, emotional, social, and physical stage of development and their capacity for self-management
- participate in the development of their Plan of Care
- participate in meetings to review their Plan of Care
- carry out daily or routine self-management of their medical condition to their full potential, as described in their Plan of Care (e.g., carry their medication and medical supplies; follow school board policies on disposal of medication and medical supplies)
- set goals on an ongoing basis for self-management of their medical condition, in conjunction with their parent(s) and health care professional(s)
- communicate with their parent(s) and school staff if they are facing challenges related to their medical condition(s) at school
- wear medical alert identification that they and/or their parent(s) deem appropriate
- if possible, inform school staff and/or their peers if a medical incident or a medical emergency occurs

c) School staff

School staff should follow their school board's policies and the provisions in their collective agreements related to supporting students with prevalent medical conditions in schools. School staff should, for example:

- review the contents of the Plan of Care for any student with whom they have direct contact
- participate in training, during the instructional day, on prevalent medical conditions, at a minimum annually, as required by the school board
- share information on a student's signs and symptoms with other students, if the parents give consent to do so and as outlined in the Plan of Care and authorized by the principal in writing
- follow school board strategies that reduce the risk of student exposure to triggers or causative agents in classrooms, common school areas, and extracurricular activities, in accordance with the student's Plan of Care
- support a student's daily or routine management, and respond to medical incidents and medical emergencies that occur during school, as outlined in board policies and procedures (in situations where school board staff already provide supports to students with prevalent medical conditions, and are already trained appropriately, this memorandum does not intend to prescribe, duplicate, or remove those duties or training)
- support inclusion by allowing students with prevalent medical conditions to perform daily or routine management activities in a school location (e.g., classroom), as outlined in their Plan of Care, while being aware of confidentiality and the dignity of the student
- enable students with prevalent medical conditions to participate in school to their full potential, as outlined in their Plan of Care

d) Principal

In addition to the responsibilities outlined above under "School Staff", the principal should:

- clearly communicate to parents and appropriate staff the process for parents to notify the school of their child's medical condition(s), as well as the expectation for parents to co-create, review, and update a Plan of Care with the principal or the principal's designate. This process should be communicated to parents, at a minimum:
 - during the time of registration
 - each year during the first week of school
 - when a child is diagnosed and/or returns to school following a diagnosis
- co-create, review, or update the Plan of Care for a student with a prevalent medical condition with the parent(s), in consultation with school staff (as appropriate) and with the student (as appropriate)

- maintain a file with the Plan of Care and supporting documentation for each student with a prevalent medical condition
- provide relevant information from the student's Plan of Care to school staff and others who are identified in the Plan of Care (e.g., food service providers, transportation providers, volunteers, occasional staff who will be in direct contact with the student), including any revisions that are made to the plan
- communicate with parent(s) in medical emergencies, as outlined in the Plan of Care
- encourage the identification of staff who can support the daily or routine management needs of students in the school with prevalent medical conditions, while honouring the provisions within their collective agreements

e) School board

School boards are expected to communicate, on an annual basis, their policies on supporting students with prevalent medical conditions to parents, school board staff, and others in the school community who are in direct contact with students (e.g., food service providers, transportation providers, volunteers). At a minimum, school boards are expected to make their policies and their Plan of Care templates available on their public website in the language of instruction.

School boards are also expected to:

- provide training and resources on prevalent medical conditions on an annual basis
- develop strategies that reduce the risk of student exposure to triggers or causative agents in classrooms and common school areas
- develop expectations for schools to support the safe storage^[14] and disposal of medication and medical supplies, and communicate these expectations to schools and support schools in the implementation of the expectations
- communicate expectations that students are allowed to carry their medication and supplies to support the management of their medical condition, as outlined in their Plan of Care
- consider this memorandum and related board policies when entering into contracts with transportation, food service, and other providers

Plan of Care

A Plan of Care is a form that contains individualized information on a student with a prevalent medical condition. School board policies and procedures must include a Plan of Care form. The ministry is providing school boards with a sample Plan of Care, which is available online through the ministry's Prevalent Medical Conditions web portal. This sample has been developed in consultation with health and education partners.

If they are adapting the sample Plan of Care, school boards should include, at a minimum, all of the following elements:

- preventative strategies to be undertaken by the school to reduce the risk of medical incidents and exposure to triggers or causative agents in classrooms and common school areas
- identification of school staff who will have access to the Plan of Care
- identification of routine or daily management activities that will be performed by the student, parent(s), or staff volunteer(s), as outlined in school board policy, or by an individual authorized by the parent(s)
- a copy of notes and instructions from the student's health care professional, where applicable
- information on daily or routine management accommodation needs of the student (e.g., space, access to food) (where possible, a student should not be excluded from the classroom during daily or routine management activities, unless the student or the parent(s) indicate they prefer exclusion)
- information on how to support or accommodate the student to enable participation to their full potential in all school and school board activities (e.g., field trips, overnight excursions, board-sponsored sporting events)
- identification of symptoms (emergency and other) and response, should a medical incident occur
- emergency contact information for the student
- clear information on the school board's emergency policy and procedures
- details related to storage and disposal of the student's prescribed medication(s) and medical supplies, such as:
 - parental permission for the student to carry medication and/or medical supplies

- location of spare medication and supplies stored in the school, where applicable
- information on the safe disposal of medication and medical supplies
- requirements for communication between the parent(s) and the principal (or the principal's designate) and/or school staff, as appropriate, including format and frequency
- parental consent (at the discretion of the parents) to share information on signs and symptoms with other students

The Plan of Care for a student with a prevalent medical condition should be co-created, reviewed, and/or updated by the parent(s) in consultation with the principal or the principal's designate, designated staff (as appropriate), and the student (as appropriate), during the first thirty school days of every school year and, as appropriate, during the school year (e.g., when a student has been diagnosed with a prevalent medical condition). Health care provider information and signature(s) are optional.

Parents have the authority to designate who is provided access to the Plan of Care. With authorization from the parents, the principal or the principal's designate should share the Plan of Care with school staff who are in direct contact with students with prevalent medical conditions and, as appropriate, others who are in direct contact with students with prevalent medical conditions (e.g., food service providers, transportation providers, volunteers).

Facilitating and supporting daily or routine management

In their policies, school boards should outline board expectations for providing supports^[15] to students with prevalent medical conditions in order to facilitate their daily or routine management activities in school.

Facilitating and supporting daily or routine management involves, but is not limited to, supporting inclusion by allowing students with prevalent medical conditions to perform daily or routine management activities in a school location (e.g., within a classroom, gymnasium, library, schoolyard; on a school bus; at a field trip location), as outlined in their Plan of Care.

Emergency Response

In their policies, school boards should outline board expectations for school staff responses to medical incidents and/or medical emergencies at school that involve students with prevalent medical conditions. At a minimum, the response should align with existing school board medical emergency procedures (e.g., immediate response, including use of emergency medication, and monitoring and/or calling Emergency Medical Services). The response should also align with the Plan of Care established for the student.

School boards should review their medical emergency procedures, consulting evidence-based materials that have been developed by health and education partners. See the resources available online through the ministry's Prevalent Medical Conditions web portal, referred to within this memorandum.

Raising awareness of board policy and of evidence-based resources

School boards should raise awareness of their policies on prevalent medical conditions. They should also raise awareness of the range of evidence-based resources that provide information on various aspects of prevalent medical conditions, including triggers or causative agents, signs and symptoms characteristic of medical incidents and of medical emergencies, and school board emergency procedures. As stated above, such resources have been developed by health and education partners, and are available through the ministry's Prevalent Medical Conditions web portal.

Schools, also, should raise awareness of prevalent medical conditions that affect students. They can do so, for example, through curriculum content in classroom instruction, other related learning experiences, and classroom leadership opportunities. Awareness is especially important at times of transition (e.g., the move to a new school, the move from elementary to secondary school), when students have to face social, physiological, and environmental changes.

School boards should also make appropriate resources available to occasional staff and service providers, such as food service and transportation providers.

Training

School board policies should include strategies for providing training related to prevalent medical conditions,^[16] at a minimum annually, for school staff who have direct contact with students with medical condition(s). Particular consideration should be given to the training needs

of occasional staff. Training should take place within the student's first thirty days of school, where possible, to ensure the safety and well-being of the student, and should be reviewed as appropriate.

The scope of training should include the following:

- strategies for preventing risk of student exposure to triggers and causative agents
- strategies for supporting inclusion and participation in school
- recognition of symptoms of a medical incident and a medical emergency
- information on school staff supports, in accordance with board policy
- medical incident response and medical emergency response
- documentation procedures

It is expected that school boards, in consultation with teachers' federations, principals' associations, and education workers' unions, will determine the scope of training required to support implementation of their policies, as well as the mode of delivery of the training and any privacy implications that may arise. The scope of training should be consistent with expected duties of school board staff, as outlined in school board policy.

To support school board training needs, evidence-based materials are available online through the ministry's Prevalent Medical Conditions web portal.

Safety considerations

School board policies should:

- allow for students to carry their medication(s) (including controlled substances^[17]) and supplies, as outlined in the Plan of Care
- set expectations for schools to support the storage (according to the item's recommended storage conditions) and safe disposal of medication and medical supplies
- include a process and appropriate resources to support students with prevalent medical conditions in the event of a school emergency (e.g., bomb threats, evacuation, fire, "hold and secure", lockdown)^[18] or for activities off school property (e.g., field trip, sporting event) (this process should also include considerations for occasional staff)

School boards are expected to provide schools with appropriate supplies to support safe disposal of medication and medical supplies.

In accordance with the requirement of the Child and Family Services Act, 1990, where board employees have reason to believe that a child may be in need of protection, board employees must call the Children's Aid Society and file a formal report.

Privacy and confidentiality

School boards should have a policy in place regarding the confidentiality of students' medical information within the school environment, including practices for accessing, sharing, and documenting information. School boards must comply with applicable privacy legislation and obtain parental consent in the individual Plan of Care prior to sharing student health information with school staff or other students. Parents and school staff should be informed of the measures to protect the confidentiality of students' medical records and information.

Reporting

Subject to relevant privacy legislation, school boards should develop a process to collect data regularly, including, but not limited to, data on the number of students with prevalent medical conditions at their schools, and should monitor the number of occurrences of medical incidents and medical emergencies, as well as the circumstances surrounding these events. School boards should use these data as part of their cyclical policy reviews.

Under the authority of paragraph 27.1 of subsection 8(1) of the Education Act, school boards will be required to report to the Minister of Education upon implementation and, upon request thereafter, on their activities to achieve the expectations outlined in this memorandum.

Liability

In 2001, the Ontario government passed the Good Samaritan Act to protect individuals from liability with respect to voluntary emergency medical or first-aid services. Subsections 2(1) and (2) of this act state the following with regard to individuals:

"2. (1) Despite the rules of common law, a person described in subsection (2) who voluntarily and without reasonable expectation of compensation or reward provides the services described in that subsection is not liable for damages that result from the person's negligence in acting or failing to act while providing the services, unless it is established that the damages were caused by the gross negligence of the person."

"(2) Subsection (1) applies to,
... (b) an individual ... who provides emergency first aid assistance to a person who is ill, injured or unconscious as a result of an accident or other emergency, if the individual provides the assistance at the immediate scene of the accident or emergency."

As well, Sabrina's Law and Ryan's Law each include provisions limiting the liability of individuals who respond to an emergency relating to anaphylaxis or asthma, respectively, as cited below.

Subsection 3(4) of Sabrina's Law states:

"No action for damages shall be instituted respecting any act done in good faith or for any neglect or default in good faith in response to an anaphylactic reaction in accordance with this Act, unless the damages are the result of an employee's gross negligence."

Subsection 4(4) of Ryan's Law states:

"No action or other proceeding for damages shall be commenced against an employee for an act or omission done or omitted by the employee in good faith in the execution or intended execution of any duty or power under this Act."

Policy/Program Memorandum 160

Date of Issue: September 19, 2016

Effective: Until revoked or modified

Subject: Protected time for daily mathematics instruction, Grades 1 to 8

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities Principals of Elementary Schools

Introduction

As part of the vision for education articulated in *Achieving Excellence: A Renewed Vision for Education in Ontario, 2014*, the Ministry of Education is acting on its commitment to help all students gain the mathematical knowledge and skills they will need to thrive in an information- and

technology-based society. Dedicated to collaborative professionalism, Ontario's education partners are working together to realize this commitment. Together, the ministry, school boards, and schools are building on the successes of the past decade, which have made Ontario's education system a world leader, to further improve outcomes for all learners.

The purpose of this memorandum is to set out the ministry's expectation that school boards across Ontario will provide focused daily mathematics instruction for students in Grades 1 through 8^[1] during *protected blocks of time*, as specified below. Protected time for mathematics instruction will allow for a more sustained period of effective instruction and assessment every day, providing additional support for students in achieving better results in mathematics.

Provincial and international assessments show that, although the majority of Ontario students understand basic math concepts, improvement is needed in their ability to apply their knowledge and skills to solve problems. Acknowledging the work that education professionals have done to help students become confident and competent mathematical thinkers, the ministry believes that additional time for focused learning will support student achievement and engagement.

Research has identified a variety of factors that are important in supporting improved student achievement in mathematics and student well-being, including the following:

- effective instruction
- positive student engagement
- extended blocks of time for mathematics learning, appropriate to the students' age

According to the research, the optimum amount of time for mathematics learning and teaching is four to six hours per week. In many Ontario classrooms, this is already the norm.

Working together with school boards and schools, the ministry will continue to focus on all the factors identified through research and will provide resources to support teachers in providing engaging, effective instruction in mathematics.

The direction

School boards^[2] are expected to protect a block of time during every school day for teachers in Grades 1 to 8 to focus on effective mathematics instruction that supports students in achieving the expectations set out in *The Ontario Curriculum, Grades 1 to 8: Mathematics*. Starting this school year, 300 minutes per five-day cycle – preferably in daily blocks of sixty minutes, with a minimum of forty minutes per block – will be protected for this purpose.

This focused instructional time will provide the opportunity for educators to nurture a community and culture of math practice and problem solving, both of which help students develop their skills.

In addition, educators are expected to continue to embed mathematics skills across all areas of the curriculum, as they have done in the past.

Implementation

Staffing

To optimize conditions for learning and assessment, one teacher should be assigned to provide instruction in the full elementary mathematics curriculum to a given class.

Effective instruction

Ontario's teachers know that effective instruction requires time and focus. Moreover, instructional approaches emphasizing problem solving require additional time for deep learning of mathematics concepts and skills. Additional learning time also allows teachers to provide focused attention to students individually and in small groups. This kind of focus is known to increase student engagement.

Both the mathematics curriculum and *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools, 2010* promote an approach to mathematics teaching, learning, and assessment that includes problem solving, direct instruction, investigation, self- and peer-assessment, and practice.

In planning effective mathematics assessment and instruction, educators begin by examining the mathematics curriculum expectations for the grade level and assessing individual students' knowledge to determine the appropriate approach for each student. Educators support students' well-being and so promote their ability to learn by differentiating and personalizing instruction, by providing developmentally appropriate student learning, and by using culturally responsive pedagogy (e.g., by incorporating Indigenous world views, by using resources that reflect the diversity of students).

For students with special education needs, educators must provide any accommodations and/or modifications described in these students' Individual Education Plans (IEPs).

Support and resources

The ministry, in collaboration with teachers' federations, principals' associations, and other partners, will support educators, schools, and school boards by providing a variety of differentiated professional learning opportunities. Educators' professional learning will be based on the identified needs of students, and flexibility will be offered in the method of delivery (e.g., through opportunities for face-to-face or virtual learning).

Reporting and accountability

The following ongoing activities will play an important role in the successful implementation of the direction set out in this memorandum and will help inform the focus of future professional learning opportunities:

- school boards and schools will continue to prepare and use school board and school improvement plans. These plans, and the interim and final reports of these plans, will provide important information for monitoring progress throughout the school year
- the ministry and school boards will continue to review the Education Quality and Accountability Office (EQAO) teachers' questionnaire for information regarding mathematics instruction time
- the ministry and school boards will continue to collect additional evidence that could inform implementation decisions and the choice of further supports

Sources

The Ontario Ministry of Education's series of "Guides to Effective Instruction" in mathematics (<http://www.beta.edugains.ca/newsite/lms/capacitybuildingseries.html>).

Bodovski, K., & Farkas, G. (2007). Mathematics growth in early elementary school: The roles of beginning knowledge, student engagement, and instruction. *The Elementary School Journal*, 108(2), 115–130.

Mattox, K., Hancock, D. R., & Queen, J. A. (2005). The effect of block scheduling on middle school students' mathematics achievement. *NASSP Bulletin*, 89(642), 3–13.

Organisation for Economic Co-operation and Development. (2011). Relationships between students' learning time and performance. In *Quality time for students: Learning in and out of school*. Paris: OECD Publishing.

Organisation for Economic Co-operation and Development. (2015, August). Is spending more hours in class better for learning? *PISA in Focus* (54). Paris: OECD Publishing.

Policy/Program Memorandum 159

Date of Issue: May 31, 2016

Effective: Until revoked or modified

Subject: Collaborative professionalism

Application: Chairs of District School Boards

Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities

Principals of Elementary Schools

Principals of Secondary Schools

Principals of Provincial and Demonstration Schools

Purpose

In Ontario, collaborative professionalism is defined as professionals – at all levels of the education system – working together, sharing knowledge, skills and experience to improve student achievement and well-being of both students and staff.

This Policy/Program Memorandum (PPM) clarifies a shared commitment of stakeholders to building a culture of collaborative professionalism in Ontario's education system. The core priorities of this commitment include:

- building a shared understanding of collaborative professionalism, and articulating a commitment to working together to further improve student achievement and well-being of both students and staff
- transforming culture and optimizing conditions for learning, working and leading at all levels of the education sector in alignment with *Achieving Excellence: A Renewed Vision for Education in Ontario*

Background

Collaborative professionalism is foundational to *Achieving Excellence*, Ontario's renewed vision for education. This renewed vision is the product of extensive consultation with all education stakeholders across the province.

Ontario has a world class education system and is committed to building on the successes of the past decade to further improve outcomes for all learners.

Recent studies have shown that collaborative professionalism has the potential to improve learning and working conditions. Research and evidence demonstrate that networks and communities of professionals are necessary to move systems from great to excellent.

Collaborative professionalism takes into account the legal obligations of the participants in Ontario's education system to conform with or implement their roles, powers and responsibilities as may be set out in the *Education Act* and regulations and PPMs made under the act, and in other relevant legislation, including regulatory college Standards of Practice, as well as the need to honour commitments in the provisions of collective agreements and related memoranda of understanding among parties to such agreements.

The vision for collaborative professionalism

The following sets out the vision for collaborative professionalism in Ontario's education system.

As part of the transformation process, all education professionals will work together to build on Ontario's solid foundation of achievements through the establishment of trusting relationships that value the voices of all, encourage reflection and support professional growth. As such, collaborative professionalism:

- values all voices and is consistent with our shared responsibility to transform culture and provide equitable access to learning for all
- takes place in and fosters a trusting environment that promotes professional learning
- involves sharing ideas to achieve a common vision of learning, development and success for all
- supports and recognizes formal and informal leadership and learning
- includes opportunities for collaboration at provincial, district and school levels
- leverages exemplary practices through the communication and sharing of ideas to achieve a common vision

Shared understandings and commitments

A culture of collaborative professionalism is grounded in:

- professional learning that supports and enables the conditions for student achievement and student and staff well-being
- recognition of and building on the strengths of all individuals to support professional growth
- leadership practices that value the expertise and inclusion of all voices, perspectives and roles
- a commitment to building professional capacity at all levels
- professional practice informed by research, evidence and knowledge arising from the strengths, needs and interests of students and education professionals

- a trusting environment where school, school board, and union leaders and the ministry create the necessary conditions, including consideration of time and resources, that enable teams to learn with, and from, each other
- an environment that can enhance and influence professional judgement, as defined in *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools*, in supporting effective assessment, instruction, evaluation and reporting of student achievement
- an understanding that collaborative professionalism is not intended to increase workload

Roles and collective responsibilities

Formal leaders have a unique role in fostering the necessary conditions to motivate and enable teams to learn with, and from, each other. This section outlines how the roles and responsibilities of partners can support the implementation of the PPM.

The ministry will initiate and support the establishment of the Provincial Committee on Ministry Initiatives with representation from teacher federations, unions representing education workers, principal associations, and school board leadership. This provincial committee will meet quarterly each academic year to discuss possible, proposed and existing initiatives, including implications for training, resources and timing. It is anticipated that this committee will play an integral role in transforming focus from an initiatives-based perspective to support more coherent approaches. [See *Appendix A for Purpose and Parameters of the Provincial Committee on Ministry Initiatives. As the work of this committee evolves, these parameters may be amended.*]

District school boards and school authorities will establish a mechanism, or use existing mechanisms, to foster consultation, collaboration and communication with federation and other union locals and associations for the implementation of new and existing initiatives.

All partners, individually and collectively, have agreed to uphold and model the principles of collaborative professionalism identified in this PPM to:

- share a vision of professional collaboration and a clear sense of purpose of the work of all education professionals
- engage all education professionals at all levels in fostering and sustaining the conditions for collaborative professionalism
- share ideas for the streamlining and enhancing of initiatives and strategies
- shift from an initiatives-based approach to a coherent system-wide approach to change
- mobilize research and evidence on effective practices
- engage in ongoing reflective practices

The French-language sector will seek to foster collaborative professionalism in alignment with the specific mandate of French-language education, as defined in Ontario's *Aménagement Linguistique* policy for French-language education.

Appendix A: The provincial committee on ministry initiatives

Purpose

The Provincial Committee on Ministry Initiatives ("the committee") is to provide advice to the Ministry of Education, through a collaborative process, on new or existing ministry initiatives/strategies during development, implementation and review, including implications for training, resources and timing to support improvement to achievement and well-being of all learners.

The committee will be composed of English- and French-language representatives and will meet quarterly.

Parameters of work

The development of the committee's review process may include, but is not limited to:

- ongoing review of inventory and status of Ministry of Education initiatives/strategies to make recommendations about next steps
- understanding that some expectations and practices are no longer relevant in today's context and may need to be stopped, adjusted or changed while other expectations and practices may need to emerge, leading to recommendations about next steps
- providing input into the review, development, implementation and evaluation of new and existing initiatives
- presenting evidence-based rationale when the ministry is launching new initiatives/strategies
- providing input about guiding appropriate timing and pacing of new initiatives

- providing feedback during development, implementation and review of new initiatives
- integrating possible/proposed new initiatives, materials and resources with existing practices and taking into consideration the impact of initiatives on existing demands on teachers, early childhood educators, education workers, professional student support personnel, school and board leaders; and taking into account innovative and/or interdisciplinary approaches to achieve this
- sharing effective implementation practices of both school board and provincial levels, as well as sharing lessons learned throughout implementation processes
- discussing training and professional learning requirements to support the implementation of new initiatives
- taking into account initiatives of other ministries that may have an impact on school staff, and student achievement and well-being
- evaluating potential impacts

Policy/Program Memorandum 158

Date of Issue: September 25, 2019

Effective: January 31, 2020, until revoked or modified

Subject: School board policies on concussion

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Principals of Elementary Schools

Principals of Secondary Schools

Principals of Provincial and Demonstration Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 158, March 19, 2014.

Introduction

The Ministry of Education is committed to helping all students^[1] succeed and lead safe, healthy, and active lives. As part of its commitment to student safety, injury prevention, and well-being, the Ministry of Education supports concussion awareness, prevention, identification, management, tracking, and training in schools^[2] through legislation, policy, and resources.

The purpose of this updated memorandum is to reflect legislative and policy changes that have occurred since the original memorandum on school board^[3] policies on concussion was released in 2014. This memorandum addresses concussion safety across all school and school board activities and applies to all publicly funded elementary and secondary schools. It does not apply to licensed child-care providers, including those operating on the premises of publicly funded schools.

On March 7, 2018, the Ontario government enacted Rowan's Law (Concussion Safety), 2018, and amended the Education Act, to protect amateur athletes, including students, by improving concussion safety on the field and at school. The amendments to the Education Act came into force on July 1, 2019, and give the Minister of Education the authority to require school boards to comply with policy and guidelines on concussions, consistent with Rowan's Law.^[4]

With the authority under the Education Act, the Minister requires all school boards in Ontario to have a policy on concussion safety for students that meets certain minimum requirements, as outlined in this memorandum. All school board policies must, at a minimum, require:

- receipt of confirmation of annual review of approved Concussion Awareness Resources (<https://www.ontario.ca/page/rowans-law-concussion-awareness-resources>)^[5] by individuals participating in board-sponsored interschool sports
- the establishment of Concussion Codes of Conduct for individuals participating in board-sponsored interschool sports, and the receipt of confirmation of annual review of the relevant Code of Conduct by those individuals
- annual concussion training for relevant school staff
- the establishment of a process for the removal of students with a suspected concussion from physical activity and, for those diagnosed with a concussion, a Return to School Plan, which includes their return to learning and to physical activity

- the establishment of a process to document and track a student's progress, from removal from an activity due to a suspected concussion, to the return, through graduated steps, to learning and to physical activity

(See the section “Minimum components of the school board policy on concussion”, for further details about each of these requirements.)

The implementation of this policy in all school boards is another important step in creating safe and healthy learning environments in Ontario. It also reinforces the knowledge, skills, and attitudes regarding injury prevention that are developed through expectations in various subjects and disciplines in the Ontario curriculum.

Concussion: definition and diagnosis

Concussion is the term for a clinical diagnosis that is communicated by a physician or a nurse practitioner. School staff, board staff, or volunteers cannot make a concussion diagnosis, but must advise students who are suspected of having sustained a concussion and their parents^[6] to seek a medical assessment by a physician or a nurse practitioner. The definition of *concussion* given below is adapted from the definition provided in the concussion protocol in the Ontario Physical Activity Safety Standards in Education.^[7]

A concussion:

- is a brain injury that causes changes in the way in which the brain functions and that can lead to symptoms that can be physical (e.g., headache, dizziness), cognitive (e.g., difficulty in concentrating or remembering), emotional/behavioural (e.g., depression, irritability), and/or related to sleep (e.g., drowsiness, difficulty in falling asleep)
- may be caused either by a direct blow to the head, face, or neck or by a blow to the body that transmits a force to the head that causes the brain to move rapidly within the skull
- can occur even if there has been no loss of consciousness (in fact, most concussions occur without a loss of consciousness)
- cannot normally be seen by means of medical imaging tests, such as X-rays, standard computed tomography (CT) scans, or magnetic resonance imaging (MRI) scans

Research demonstrates that a concussion can have a significant impact on an individual – cognitively, physically, emotionally, and/or socially.^[8] Most individuals with a concussion get better in one to four weeks, but, for some, the healing process may take longer.^[9] It is possible for a concussion to have long-term effects. Individuals may experience symptoms that last for months or even years – symptoms such as headaches, neck pain, or vision problems. Some individuals may even experience lasting changes in their brain that lead to issues such as memory loss, difficulty concentrating, or depression. It should also be noted that if an individual suffers a second concussion before they are free from symptoms sustained from the first concussion, this may lead to “second impact syndrome”, a rare condition that causes rapid and severe brain swelling and often has catastrophic results.^[10]

Updating the school board policy on concussion

When updating their policy on concussion, school boards are encouraged to consult with school staff; students; parents; teacher federations; principals' associations; education support-staff unions; Indigenous communities, partners, and organizations; and other education partners, as appropriate. School boards are also encouraged to consult with physicians, nurse practitioners, and their local board of health.

The roles and responsibilities of relevant school staff and board staff, as well as students, parents, and school volunteers, must be clearly articulated throughout the school board's policy.

Ophea maintains a concussion protocol (<https://safety.ophea.net/tools-resources/concussions>), as part of the Ontario Physical Activity Safety Standards in Education (OPASSE). It was developed in partnership with the Ministry of Education; the Ministry of Health; the Ministry of Tourism, Culture and Sport; medical professionals; sport and recreation organizations; health organizations; and educational organizations. The concussion protocol, which is based on current research and evidence, is consistent with Rowan's Law and the Ontario government's Concussion Awareness Resources. The concussion protocol includes detailed information and procedures on:

- concussion prevention
- concussion identification, including the signs and symptoms of a concussion
- the initial response related to a suspected concussion
- the Return to School Plan, which includes information on planning for the return to learning and return to physical activity for students with a diagnosed concussion

The Ministry of Education considers the Ophea concussion protocol to be the minimum standard for risk management practices related to concussion. When developing their policy on concussion, school boards should refer to the Ophea concussion protocol.

Minimum components of the school board policy on concussion

Each school board's policy on concussion is expected to contain, at a minimum, the following components:

Concussion awareness strategies

To establish consistency of concussion awareness across the province, the government of Ontario has developed a set of Concussion Awareness Resources (<https://www.ontario.ca/page/rowans-law-concussion-awareness-resources>). These resources were developed by leading experts in injury prevention and are available on the government's concussion website. School boards are expected to use these resources to ensure that the information students receive regarding concussions at school is consistent with the information they receive from sport organizations.

The school board policy on concussion must include strategies to receive confirmation, from each of the following individuals, that an approved Concussion Awareness Resource^[11] was reviewed every school year prior to participation in board-sponsored interschool sports:

- students participating in board-sponsored interschool sports
- parents of students under 18 years of age who are participating in board-sponsored interschool sports
- coaches^[12] participating in board-sponsored interschool sports
- team trainers^[13] participating in board-sponsored interschool sports
- officials^[14] participating in board-sponsored interschool sports

The school board policy on concussion should also include strategies for making the approved Concussion Awareness Resources available – for example, through letters or emails, in a student handbook, and/or on the board website – to students; parents; school and school board staff; volunteers; Indigenous communities, partners, and organizations; organizations that use school facilities such as community sport organizations and licensed child-care providers operating in the school board's schools; as well as relevant community-based organizations, as appropriate.

The school board policy should also contain provisions for connecting student learning about concussions with the curriculum, where relevant. To further support awareness among students, the policy should include implementation plans for an annual concussion awareness event for students, to be held on or around Rowan's Law Day (<https://www.ontario.ca/page/rowans-law-day>), which occurs on the last Wednesday in September.

Concussion awareness training

Each school board's policy on concussion must include strategies for providing annual concussion training for relevant school staff about the policy itself and the content of the approved Concussion Awareness Resources. School boards are encouraged to provide the concussion training by the last Wednesday in September, Rowan's Law Day, every school year. The policy on concussion should also include provisions for new school staff to access training throughout the school year.

It is expected that school boards, in consultation with teachers' federations, principals' associations, and education workers' unions, will determine the scope of training required to support implementation of their concussion policy, as well as the mode of delivery of the training and any privacy implications that may arise. The scope of training should be consistent with expected duties of school staff, as outlined in the school board policy.

Concussion prevention strategies

The school board policy on concussion must include strategies for preventing and minimizing the risk of sustaining concussions at school.

Concussion Codes of Conduct

The school board policy must establish Concussion Codes of Conduct for several groups participating in board-sponsored interschool sports – students and parents of students under 18 years of age, as well as coaches and team trainers. School boards must review their Concussion Codes of Conduct whenever their concussion policy is reviewed or updated, at a minimum.

The Concussion Codes of Conduct must include the following requirements. Depending on their roles and responsibilities, individuals involved in board-sponsored interschool sports must commit to the relevant requirements below:

- maintaining a safe learning environment
- teaching and/or learning and applying the rules of a physical activity/sport
- implementing the skills and strategies for a physical activity in a proper progression
- fair play and respect for all
- acknowledging and respecting the consequences for prohibited play that is considered high-risk for causing concussions
- providing opportunities to discuss potential issues related to concussions
- recognizing and reporting concussions
- acknowledging the importance of communication between the student, parents, school staff, and any sport organization with which the student is registered
- supporting the implementation of a Return to School Plan for students who have a concussion diagnosis
- prioritizing a student's return to learning as part of the Return to School Plan

Ophea's sample Concussion Codes of Conduct (<https://safety.ophea.net/concussions>) templates, which are geared to the roles and responsibilities of the individuals involved in board-sponsored interschool sports, provide further details.

The school board policy must include strategies to receive confirmation every school year, from each of the following individuals, that the relevant Concussion Code of Conduct was reviewed prior to participation in board-sponsored interschool sports:

- students participating in board-sponsored interschool sports
- parents of students under 18 years of age who are participating in board-sponsored interschool sports
- coaches participating in board-sponsored interschool sports
- team trainers participating in board-sponsored interschool sports

The school board policy on concussion should also include strategies for making the Concussion Codes of Conduct available – for example, through letters or emails, in a student handbook, and/or on the board website – to students; parents; school and school board staff; volunteers; Indigenous communities, partners, and organizations; organizations that use school facilities such as community sport organizations and licensed child-care providers operating in the school board's schools; as well as relevant community-based organizations, as appropriate.

Identification of a Suspected Concussion

School boards should refer to the Ophea concussion protocol (<https://safety.ophea.net/concussions>) when developing the process for the identification of suspected concussions.

The school board policy must establish a process for:

- identifying suspected concussions
- immediately and safely removing a student who is suspected of having sustained a concussion from an activity, regardless of whether the concussion was sustained or is suspected to have been sustained at school or elsewhere
- calling Emergency Medical Services if there is an emergency or if a student has any “red flag” signs and/or symptoms;^[15]
- informing the student and the student's parents, if the student is under 18 years of age, that removal from the activity was necessary due to a suspected concussion
- advising the student who is suspected of having sustained a concussion and the student's parents, if the student is under 18 years of age, that the student should undergo a medical assessment by a physician or nurse practitioner
- sharing information about the school board's process for supporting a student with a suspected concussion, and the school board's Return to School plan

The school board policy should also clarify that:

- a student who is suspected of having sustained a concussion, or the student's parents, if the student is under 18 years of age, should be encouraged to provide confirmation that the student has undergone a medical assessment by a physician or nurse practitioner to support the student's return to learning
- a student who is suspected of having sustained a concussion, or the student's parents, if the student is under 18 years of age, must provide confirmation that the student has undergone a medical assessment by a physician or nurse practitioner and has not been diagnosed with a concussion, along with confirmation that the student has been medically cleared, before the student can return to full participation in physical activity

Return to School Plan

Each school board's policy on concussion must include a Return to School Plan for students who have been diagnosed with a concussion, regardless of whether the concussion was sustained at school or elsewhere. The Return to School Plan supports both the student's return to learning and their return to physical activity.

The school board's policy, through the Return to School Plan, must:

- establish a process outlining the graduated steps that a student is expected to follow in order to return to learning and to physical activity
- require that the student and the student's parents, if the student is under 18 years of age, be informed of the importance of sharing with the school any medical advice or recommendations received in relation to the student's concussion diagnosis and their return to learning and physical activity
- require that the student and the student's parents, if the student is under 18 years of age, be informed of the importance of disclosing the concussion diagnosis to any relevant organizations with which the student is involved or registered (e.g., sport organizations)
- require that the student or the student's parents, if the student is under 18 years of age, provide confirmation of medical clearance by a physician or nurse practitioner as a prerequisite for the student's return to full participation in physical activity

When these requirements are met, school boards can rely on the information received from a student or the student's parents, if the student is under 18 years of age, in carrying out the school board's responsibilities as part of the Return to School Plan.

When developing the Return to School Plan, school boards should refer to the Ophea concussion protocol (<https://safety.ophea.net/concussions>). Those developing the plan should note that the return-to-learning process is designed to meet the particular needs of the student, so there is no preset plan of strategies and/or approaches to assist with the return-to-learning activities. The return-to-physical activity process follows an internationally recognized graduated approach.

If a student who is recovering from a concussion is experiencing long-term difficulties that begin to affect their learning, the school board should follow established processes for identifying and documenting instructional approaches and resources that may be required for responding to the student's ongoing learning needs (e.g., individualized classroom accommodations).

Concussion tracking

In accordance with relevant privacy legislation,^[16] the school board policy on concussion must include a process to document and track a student's progress, from removal from an activity due to a suspected concussion, to the return, through graduated steps, to learning and to physical activity.

In addition, school boards are encouraged to develop a process to track additional information on an ongoing basis in order to inform updates to their concussion policy, as part of the regular policy review cycle.

The Ministry of Education recognizes the sensitive nature of personal health information and reminds school boards to collect, use, and disclose only the relevant diagnostic information needed to fulfil the requirements of this policy and to disclose it only to the parties identified in this policy.

Similarly, when developing a process to document and track concussions, the school board must limit the collection, use, access, and disclosure of personal and health information to that which is reasonably necessary to carry out the school board's concussion identification procedures and Return to School Plan. Personal and health information collected by the school board must be retained, disclosed, and disposed of in accordance with the school board's personal information retention policy.

Implementation

School boards must implement their updated concussion policy no later than January 31, 2020. School boards must ensure that a process is in place to support ongoing implementation of and compliance with their school board policy at the school level.

School board reporting

In accordance with paragraph 27.1 of subsection 8(1) of the Education Act, school boards will be required to report to the Minister of Education, upon implementation and upon request thereafter, on their activities to achieve the requirements outlined in this memorandum.

Support for school boards

The Ontario government has established a concussion website (<https://www.ontario.ca/page/rowans-law-concussion-safety>) with key partners. It has been developed to provide reliable, evidence-based information on concussion awareness, prevention, identification, and management for parents, children and youth, educators, coaches, athletes, and health care providers. The website includes the government's Concussion Awareness Resources.

The Ministry of Education's concussion web page (<http://www.edu.gov.on.ca/eng/healthyschools/concussion.html>) also provides information and resources for school boards on concussion awareness, prevention, identification, and management. The page includes a link to the Opeha concussion protocol (<https://safety.ophea.net/concussions>) .

The Ontario Public Health Standards: Requirements for Programs, Services, and Accountability (http://www.health.gov.on.ca/en/pro/programs/publichealth/oph_standards/docs/protocols_guidelines/Ontario_Public_Health_Standards_2018_e (the Standards) identify the minimum expectations for public health programs and services to be delivered by Ontario's boards of health. The Standards include the requirement that public health units reduce the burden of preventable injuries and substance use through consideration of a number of topics, including concussions.

Policy/Program Memorandum 157

Date of Issue: June 21, 2013

Effective: Until revoked or modified

Subject: Use of copyright-protected works for education

Application: Directors of Education

Supervisory Officers and Secretaries of School Authorities Principals of Elementary Schools

Principals of Secondary Schools

Principals of Provincial and Demonstration Schools

Purpose

The purpose of this memorandum is to set out the recommended guidelines that describe the conditions and limits of fair dealing for education. It also describes the roles and responsibilities of school boards^[1] regarding the educational use of copyright-protected works in compliance with the Copyright Act, including uses that are outside permitted provisions. This memorandum also provides recommended compliance strategies for boards.

Background

The Copyright Act (R.S.C. 1985) is the federal statute that governs copyright law in Canada. The act is intended to balance the interests that people have in using copyright-protected works with the right of creators to receive payment for the use of those works.

The Copyright Act contains many users' rights provisions that allow the use of a copyright-protected work for specific purposes. One of these users' rights is known as "fair dealing".

On June 29, 2012, the Copyright Act was amended with the passage of the Copyright Modernization Act (S.C. 2012, c.20). A key amendment expanded the fair dealing provision to identify education as one of the eligible purposes for fair dealing. This means that all employees in elementary and secondary school settings will be able to use copyright-protected works *within set conditions and limits without obtaining permission and without paying a fee to the copyright owner or to a copyright collective.*

The Supreme Court of Canada's decision of July 12, 2012, clarified that educators may copy "short excerpts" of copyright-protected works for students in their classes. The court's decision complements the addition of education as an eligible purpose for fair dealing in the Copyright Act.

Definitions of terms

The following are definitions of terms, as they are used in this memorandum.

copyright owner

A person or a company who owns any of the exclusive rights of copyright in a work, or a representative of the copyright owner.

copyright collective

A copyright collective society, or an organization that administers the rights of copyright owners and can grant permission to use their works and set the conditions and charge fees for that use.

fair dealing

In copyright law, a user's right that permits the use of a copyright-protected work for certain purposes, including for education, without obtaining permission and without paying a fee to the copyright owner.

use

The reproduction or communication of a copyright-protected work, in paper or electronic form.

user

The person who reproduces or communicates a copyright-protected work, in paper or electronic form.

users' rights

Provisions in the Copyright Act that permit use of a copyright-protected work under certain conditions and limits, without obtaining permission and without paying a fee to the copyright owner. Users' rights include fair dealing.

Roles and responsibilities of school boards regarding compliance with the Copyright Act

Boards meet their legal responsibilities under the Copyright Act by ensuring that each use of a copyright-protected work meets one of the following conditions:

- The use falls within the "Fair dealing guidelines", as outlined in Appendix A.
- The use falls within another Copyright Act provision, as outlined in Appendix B.
- If the use does not fall within any provision outlined in Appendix A or Appendix B, a process for obtaining permission and paying a transaction fee for the use has been followed (see "Uses outside permitted provisions" of this memorandum).

Fair dealing

In order to obtain the full benefit of fair dealing in accordance with the Copyright Act, school boards implemented the recommended "Fair dealing guidelines" as of December 31, 2012. These guidelines are included in Appendix A to this memorandum. The "Fair dealing guidelines" describe the conditions and limits of fair dealing for education, and were provided to all boards in the fall of 2012 by their respective provincial trustees' association. The guidelines were prepared for the Copyright

Consortium of the Council of Ministers of Education, Canada (CMEC) by their legal counsel, and are a valuable tool designed to help non-profit educational institutions across Canada comply with the fair dealing provision.

School boards should incorporate the "Fair dealing guidelines", as they are stated in Appendix A, into their board policies.

Additional users' rights applicable to education

In addition to fair dealing, the Copyright Act contains additional users' rights that allow the use of copyright-protected works for educational purposes without obtaining permission and without paying a fee to the copyright owner or copyright collective. The following are examples of additional users' rights applicable to education:

- an Internet provision that allows students and educators to use publicly available Internet materials for their learning and educational pursuits
- the ability to show audio-visual works (such as movies on DVD or video) for educational purposes
- the use of digital displays such as interactive whiteboards and digital projectors to show copyright-protected works in classrooms, provided that the works are used for the purpose of education and are not commercially available in a medium that is appropriate for this purpose

Appendix B to this memorandum provides a summary of the additional users' rights applicable to education.

Uses outside permitted provisions

To use a copyright-protected work that falls outside the provisions outlined in Appendix A and Appendix B, prior written permission must be obtained from the copyright owner or copyright collective, and *a transaction fee paid for the use, if required*. If this process has not been followed, the risk to boards is that the use is contrary to law, and to proceed with the planned use is copyright infringement.

In the event that a school board is required to pay damages and/or legal fees as a result of copyright infringement, such expenses will be the responsibility of the board.

Compliance strategies for boards

To ensure that all board employees understand and comply with copyright law, boards are encouraged to develop strategies and procedures such as the following:

- boards should ensure that their copyright policies are regularly communicated to all employees and form part of the orientation of new employees
- boards should post their copyright policies at all board and school photocopying and printing stations and near other devices used to reproduce and communicate material in electronic form, such as scanners
- boards should obtain the "Fair dealing guidelines", available on CMEC's website (<http://www.cmec.ca/>). The guidelines are a valuable reference tool for educators and can be posted near all computer and work stations
- to assist employees in determining whether the use of a copyright-protected work falls within the permitted provisions for users' rights applicable to education as outlined in Appendix A and Appendix B, boards are encouraged to recommend that employees consult the information booklet *Copyright Matters!*, published by the Council of Ministers of Education, Canada (CMEC). Booklets have been sent to school board offices for distribution. Each educator should receive a copy of the booklet. The bilingual booklet is available on CMEC's website (<http://www.cmec.ca/>)
- school boards should develop a process that clearly defines the steps required for employees to use copyright-protected works that fall outside the provisions in Appendices A and B
- boards may designate one or more persons to provide guidance to employees about whether a use falls within or outside the provisions in Appendices A and B and whether permission is required. The same person(s) could also provide advice about obtaining prior written permission and about paying a transaction fee (if required)

Appendix A: fair dealing guidelines

Note: The following text has been prepared by the Copyright Consortium of the Council of Ministers of Education, Canada (CMEC) for use by non-profit elementary, secondary, and postsecondary educational institutions across Canada. The "Fair dealing guidelines" below are also available on CMEC's website (<http://www.cmec.ca/>).

The fair dealing provision in the Copyright Act permits use of a copyright-protected work without permission from the copyright owner or the payment of copyright royalties. To qualify for fair dealing, two tests must be passed.

First, the "dealing" must be for a purpose stated in the Copyright Act: research, private study, criticism, review, news reporting, education, satire, and parody. Educational use of a copyright-protected work passes the first test.

The second test is that the dealing must be "fair." In landmark decisions in 2004 and in 2012, the Supreme Court of Canada provided guidance as to what this test means in schools and post-secondary educational institutions.

These guidelines apply fair dealing in non-profit K-12 schools and postsecondary educational institutions and provide reasonable safeguards for the owners of copyright-protected works in accordance with the Copyright Act and the Supreme Court decisions.

Guidelines

1. Teachers, instructors, professors, and staff members in non-profit educational institutions may communicate and reproduce, in paper or electronic form, short excerpts from a copyright-protected work for the purposes of research, private study, criticism, review, news reporting, education, satire, and parody.

2. Copying or communicating short excerpts from a copyright-protected work under these fair dealing guidelines for the purpose of news reporting, criticism, or review should mention the source and, if given in the source, the name of the author or creator of the work.
3. A single copy of a short excerpt from a copyright-protected work may be provided or communicated to each student enrolled in a class or course:
 - a. a. as a class handout
 - b. a. as a posting to a learning- or course-management system that is password protected or otherwise restricted to students of a school or postsecondary educational institution
 - c. a. as part of a course pack
4. A short excerpt means:
 - a. a. up to 10 per cent of a copyright-protected work (including a literary work, musical score, sound recording, and an audiovisual work)
 - b. a. one chapter from a book
 - c. a. a single article from a periodical
 - d. a. an entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart, and plan) from a copyright-protected work containing other artistic works
 - e. a. an entire newspaper article or page
 - f. a. an entire single poem or musical score from a copyright-protected work containing other poems or musical scores
 - g. a. an entire entry from an encyclopedia, annotated bibliography, dictionary, or similar reference work
5. Copying or communicating multiple short excerpts from the same copyright-protected work with the intention of copying or communicating substantially the entire work is prohibited.
6. Copying or communicating that exceeds the limits in these fair dealing guidelines may be referred to a supervisor or other person designated by the educational institution for evaluation. An evaluation of whether the proposed copying or communication is permitted under fair dealing will be made based on all relevant circumstances.
7. Any fee charged by the educational institution for communicating or copying a short excerpt from a copyright-protected work must be intended to cover only the costs of the institution, including overhead costs.

Appendix B: additional users' rights applicable to education

This appendix is based on information contained in *Copyright Matters!*, a booklet developed by the Council of Ministers of Education, Canada (CMEC). Please refer to the booklet available here (<http://www.cmec.ca/>) for more detailed information on copyright law and the conditions of and limits on the use of copyright-protected materials.

In addition to the "Fair dealing guidelines" outlined in Appendix A of this memorandum, the following is a summary of additional users' rights in the Copyright Act that are available to educational users. The uses of copyright-protected works that fall within these users' rights do not require payment to and permission of the copyright owner, except where specified in the *Copyright Matters!* booklet.

1. Reproduction of a work to be displayed for the purpose of instruction

Educators may reproduce, in paper or electronic form, a work protected by copyright in order to display the work on interactive whiteboards and digital projectors for the purpose of instruction, provided that the work is not commercially available in an appropriate medium for display.

2. Tests and examinations

Educators may copy, translate, communicate electronically, show, or play a copyright-protected work for a test or examination, provided that the work is not commercially available in an appropriate medium for the purpose of a test or examination.

3. Use of statutes, regulations, and court decisions

Educators and students may copy and communicate the text of federal, provincial, and territorial statutes, regulations, and judicial decisions for educational purposes from every province and territory except Manitoba, Quebec, and Nunavut.

4. Reproduction in alternative formats for persons with perceptual disabilities

Students, and educational institutions on behalf of students, may make a copy of a literary, dramatic, musical, or artistic work (excluding audio-visual works) in an alternative format designed for a person with a perceptual disability, for the benefit of a student. Persons with perceptual disabilities include the blind and visually impaired and persons with learning and other physical disabilities. The work must not be commercially available in the alternative format. Educational institutions are prohibited from making a large-print book for a student with a perceptual disability without written permission from the copyright owner.

5. School libraries

School libraries may use digital technologies such as e-mail to deliver a copyright-protected work as part of an interlibrary loan, provided that measures are taken to protect against further distribution of the material.

6. Playing sound recordings, listening to the radio, and watching television programs (excluding music)

Educators may play sound recordings, listen to the radio, and watch television programs as they are being transmitted (via over-the-air broadcast, cable, satellite, or the Internet) in the classroom provided that the use is for educational purposes. This user's right does not apply to previously recorded radio and television programs.

7. Performing plays and other works on school premises

Students may perform a work protected by copyright, such as a play. An example is the performance of a play in a drama class. However, the performance of the play must meet the following conditions:

- it must take place on school premises
- it must be for educational purposes
- it must be not-for-profit (any fee charged by the school for attending the performance of the work must only recover the costs associated with the performance, including overhead costs)
- it must take place before an audience consisting primarily of students of the school, persons acting under the authority of the school, or any person who is directly responsible for developing or implementing a curriculum for the school

8. Performing music in schools for educational purposes

The public performance of music in elementary and secondary schools, whether recorded or live, is permitted if the performance is for educational purposes. Schools may also play sound recordings containing a musical work, listen to the radio, and watch television programs containing a musical work while the program is being transmitted (via over-the-air broadcast, cable, satellite, or the Internet).

However, the use of music must meet the following conditions:

- it must take place on school premises
- it must be for educational purposes
- it must be not-for-profit (any fee charged by the school for attending the performance of the work must only recover the costs associated with the performance, including overhead costs)
- it must take place before an audience consisting primarily of students of the school, persons acting under the authority of the school, or any person who is directly responsible for developing or implementing a curriculum for the school

Performances or other uses of music that are not for educational purposes, such as performances at school dances and sporting events, must be authorized by the copyright owner, or by a copyright collective that represents the owner. (Please refer to the *Copyright Matters!* booklet for additional information about what activities require permission and the payment of royalties.)

9. Use of copyright-protected works to create new works

Anyone, including students and educators, may use copyright-protected works to create new works provided that the following conditions are met:

- the new work may only be used for non-commercial purposes
- the original source must be mentioned

- the original work used to generate the content must have been legally acquired
- the resulting user-generated content must not substantially harm the market for the original work

10. News and news commentary programs from radio or television

Educators, or a person acting under the authority of a school, may make a single copy of a news or news commentary for later viewing by students, provided that the copy is only made at the time the program is aired by the broadcaster or communicated over the Internet.

11. Showing of audio-visual works on school premises

Educators may show audio-visual works on school premises for educational purposes, such as movies on DVD or video, provided that the copy is not one that infringes copyright law. Copies can be purchased or rented from a retail store or borrowed from a library or from a friend.

12. Online learning

Educators and schools may transmit lessons that contain copyright-protected materials to students in real time (synchronous learning) over the Internet, or record a lesson that contains such material and make it available online (asynchronous learning). Students are permitted to make a copy of the lesson for their personal use. However, both students and schools are required to destroy recordings and copies within 30 days after the students enrolled in the course receive their final evaluations (final report cards) for the course.

13. Educational use of the Internet

The "educational use of the Internet" provision allows students and educators to use publicly available Internet material for their learning and educational pursuits. Publicly available materials are those legitimately posted online by content creators and copyright owners without any technological protection measures, such as a password, encryption systems, or similar technology intended to limit access or distribution, and without a clearly visible notice prohibiting educational use. The provision requires that the source be mentioned.

Policy/Program Memorandum 156

Date of Issue: February 1, 2013

Effective: Until revoked or modified

Subject: Supporting transitions for students with special education needs

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Superintendents of Schools

Principals of Elementary Schools Principals of Secondary Schools

Purpose

This memorandum sets out for school boards^[1] and schools new requirements for transition plans for students with special education needs from Kindergarten to Grade 12.

Effective transition planning is important. Individualized transition plans that reflect a student's strengths and needs provide the foundation for successful transitional experiences that support the building of student resiliency. Articulating student transition needs can also be a valuable component of developing an individual student profile. It is expected that the implementation of the requirements set out in this memorandum will result in continuity of programs and services for students with special education needs and will support improved student achievement and well-being.

Current context

Transition requirements are set out in the following regulatory and policy documents.

Ontario Regulation 181/98 states that, for exceptional students who are age 14 or over and who are not identified solely as gifted, the student's Individual Education Plan (IEP) must include a transition plan for the student's transition from school to work, further education, and/or community living.

Policy/Program Memorandum No. 140, "Incorporating Methods of Applied Behaviour Analysis (ABA) into Programs for Students with Autism Spectrum Disorders (ASD)", May 17, 2007, states that school board staff must plan for the transition between various activities and settings involving students with autism spectrum disorders.

For students in care and/or treatment, custody, and correctional facilities, the document entitled *Guidelines for Approval of Educational Programs for Pupils in Government Approved Care and/or Treatment Custody and Correctional Facilities (2005–06)* outlines how the facility and the board that is providing the educational program will work together to create transition plans for students in these facilities.

Requirements

The school principal is responsible for ensuring that student transition plans are developed, implemented, and maintained in accordance with the requirements of this memorandum.

A transition plan must be developed for *all students who have an IEP*, whether or not they have been identified as exceptional by an Identification, Placement, and Review Committee (IPRC) and including those identified as exceptional solely on the basis of giftedness. The transition plan is developed as part of the IEP.

At the discretion of the board, a transition plan may also be developed for students who receive special education programs and/or services but do not have an IEP and have not been identified as exceptional.

All transition plans must be developed in consultation with the parent(s),^[2] the student (as appropriate), the postsecondary institution (where appropriate), and relevant community agencies and/or partners, as necessary.

For students who have an IEP, the transition plan must be reviewed as part of the review of the IEP. The results of each review should be used to update the transition plan.

The physical, emotional, and learning needs of the student are considered when developing a transition plan, to determine if the student requires support when making transitions. Students make transitions in a variety of contexts: upon entry to school; between grades; from one program area or subject to another; when moving from school to school or from an outside agency/facility to a school; from elementary to secondary school; and from secondary school to the next appropriate pathway.

If the student has no particular need of support during transitions, the transition plan should state that no actions are required. When transition needs are identified for the student, school board staff must ensure that a transition plan is in place that addresses those needs.

Every transition plan will identify specific transition goals, support needs, the actions required to achieve the goals, roles and responsibilities, and timelines for the implementation and/or completion of each of the identified actions.

The transition plan must be stored in the Ontario Student Record (OSR) documentation folder.

Implementation

The requirements of this memorandum take effect September 2, 2014.

Resources

School boards and community partners have developed a wide range of strategies, tools, and resources to provide effective transition planning for students. School boards are encouraged to continue to collaborate with community partners and to utilize these resources and supports when implementing the requirements for transition plans set out in this memorandum.

Policy/Program Memorandum 155

Date of Issue: January 7, 2013

Effective: Until revoked or modified

Subject: Diagnostic assessment in support of student learning

Application: Directors of Education Secretary-Treasurers and Supervisory Officers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools

Introduction

The purpose of this memorandum is to outline how diagnostic assessment tools may be used effectively to inform teaching and learning practices in the classroom in support of student learning and achievement.

This memorandum also outlines how teachers shall use their professional judgement to determine:

- which assessment and/or evaluation tool(s) from the board's list of pre-approved assessment tools is applicable
- for which student(s)
- the frequency and timing of the use of the tool

In order to inform their instruction, teachers must utilize diagnostic assessment during the school year.

A teacher's professional judgement is the cornerstone of assessment and evaluation. Diagnostic assessment is used to identify a student's needs and abilities and the student's readiness to acquire the knowledge and skills outlined in the curriculum expectations. Information from diagnostic assessment helps teachers determine where individual students are in their acquisition of knowledge and skills, so that instruction can be personalized and tailored to provide the appropriate next steps for learning. The ability to choose the appropriate assessment tool(s) as well as determine the frequency and timing of its administration allows the teacher to gather data that is relevant, sufficient, and valid in order to make judgements about student learning during the learning cycle.

Effective assessment, evaluation, and reporting practices play an important role in achieving the three core priorities of the Ministry of Education: high levels of student achievement, reduced gaps in student achievement, and increased public confidence in publicly funded education. The Education Act and regulations made under the act, the policy outlined in *Growing Success*, and related ministry policies and frameworks, such as the Ontario Leadership Framework and the School Effectiveness Framework, are not altered by the direction given in this memorandum.

Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools, First Edition, Covering Grades 1 to 12, 2010 outlines the policy that supports such effective practices, and the ministry is committed to the continued implementation of this policy. *Growing Success* requires teachers to conduct diagnostic and formative assessment as essential steps of assessment for learning and assessment as learning. Specifically, teachers need to:

- plan assessment concurrently and integrate it seamlessly with instruction
- share learning goals and success criteria with students at the outset of learning to ensure that students and teachers have a common and shared understanding of these goals and criteria as learning progresses
- gather information about student learning before, during, and at or near the end of a period of instruction, using a variety of assessment strategies and tools
- use assessment to inform instruction, guide next steps, and help students monitor their progress towards achieving their learning goals
- analyse and interpret evidence of learning
- give and receive specific and timely descriptive feedback about student learning
- help students to develop skills of peer and self-assessment
(*Growing Success*, pp. 28–29)

This memorandum provides direction on the selection and use of diagnostic assessment tools used to gather data and information about student learning.

The direction, principles, and criteria set out in this memorandum will take effect immediately.

Scope

This memorandum applies to the use of formal diagnostic assessment tools. This memorandum does not apply to the following types of assessment:

- special education assessments. These include educational and/or other professional assessments conducted to identify students with special education needs, to determine the special education programs and/or services required by these students, and/or to support decisions related to such programs and services
- large-scale assessments. These include provincial assessments conducted by the Education Quality and Accountability Office (EQAO) – the assessments of reading, writing, and mathematics in Grades 3 and 6; the assessment of mathematics in Grade 9; and the Ontario Secondary School Literacy Test. They also include assessments conducted as part of ministry-approved national or international assessments, such as the Programme for International Student Assessment (PISA), the Trends in International Mathematics and Science Study (TIMSS), the Progress in International Reading Literacy Study (PIRLS), and the Pan-Canadian Assessment Program (PCAP). They may also include ministry-mandated assessments

Use of diagnostic assessment tools in support of student learning

In *Growing Success*, the term *diagnostic assessment* is defined as “assessment that is used to identify a student's needs and abilities and the student's readiness to acquire the knowledge and skills outlined in the curriculum expectations. Diagnostic assessment usually takes place at the start of a school year, term, semester, or teaching unit. It is a key tool used by teachers in planning instruction and setting appropriate learning goals” (p. 146). Diagnostic assessment provides information that is “used by teachers and students to determine what students already know and can do with respect to the knowledge and skills identified in the overall and specific expectations” (p. 31).

Data from diagnostic assessment and formative assessment is used to determine students' readiness to learn the new knowledge and skills set out in the curriculum expectations, and obtain information about students' interests and learning preferences. This data may be collected through a variety of means, which can include observation, student portfolios, and student self-assessment, among others. This information helps teachers plan daily classroom instruction and assessment that are differentiated and personalized, and set appropriate learning goals with their students.

Research confirms the importance of using various kinds of information to develop and monitor plans to improve student learning (in Ontario, the Board Improvement Plan for Student Achievement is such a plan). School and board leaders are expected to use data to identify trends, strengths, and weaknesses that can inform specific actions for improvement in student achievement.

Guiding principles of selection of diagnostic assessment tools

All assessment conducted in Ontario public schools is guided by and subject to the fundamental principles listed and discussed on pages 6–8 of *Growing Success*.

In addition to the fundamental principles set out in *Growing Success*, teachers, principals, and school board staff will use the following principles when selecting diagnostic assessment tools:

- all available classroom, school, and board data and information (e.g., information from day-to-day classroom assessments, data from provincial report cards, and EQAO data) should be taken into account when determining what additional data and information, if any, is needed for board improvement planning
- school board staff reviews diagnostic assessment tools to ensure that the tools support the collection of valid and reliable evidence
- in developing their Board Improvement Plan for Student Achievement, principals and school board staff must clearly communicate with teachers the purpose of the tool and how it is used
- duplication of effort and excessive student testing are avoided to allow for effective use of instructional time

Criteria for selection of diagnostic assessment tools

In selecting diagnostic assessment tools, teachers, teacher affiliates, principals, and school board staff, in their respective roles and responsibilities, will consider whether a diagnostic assessment tool:

- is related appropriately to the knowledge and skills identified in the curriculum expectations
- is designed to provide information that assists in identifying student needs and targeting improvements
- identifies strengths and gaps in students' knowledge and skills and provides sufficient evidence from which inferences about students' learning can be made
- is appropriate in content, design, and mode of delivery
- provides a range of targeted strategies that teachers can use to plan next steps in instruction and student learning

- forms part of a balanced, comprehensive assessment system that provides detailed evidence of each student's development

Criteria for the use of diagnostic assessment tools

In using diagnostic assessment tools, teachers will ensure that:

- the tools are administered judiciously so that they support the identification of student learning needs, track progress, and supplement instruction
- the tools are administered judiciously so that they produce the type of data and information required to effectively inform classroom instruction
- the tools are administered in a manner that will allow the teacher to assess students' progress and share such information with the principal upon request
- the information is used to guide students in focusing their learning efforts, setting and monitoring goals, and determining next steps in learning

Collective responsibility for student learning

Collective responsibility and professional judgement

Teachers, principals, and school board staff share a collective responsibility and accountability for student achievement and, in their respective roles, exercise their professional judgement as defined in *Growing Success*:

Judgement that is informed by professional knowledge of curriculum expectations, context, evidence of learning, methods of instruction and assessment, and the criteria and standards that indicate success in student learning. In professional practice, judgement involves a purposeful and systematic thinking process that evolves in terms of accuracy and insight with ongoing reflection and self-correction. (p. 152)

As stated in *Growing Success*, "teachers' professional judgements are at the heart of effective assessment, evaluation, and reporting of student achievement" (p. 8). In addition, successful implementation of policy "depends on the professional judgement of educators at all levels, as well as on educators' ability to work together ... on the continuing efforts of strong and energized professional learning communities to clarify and share their understanding of policy and to develop and share

effective implementation practices, ... on creative and judicious differentiation in instruction and assessment to meet the needs of all students, and on strong and committed leadership from school and system leaders, who coordinate, support, and guide the work of teachers" (p. 2).

Teachers

Teachers will use their professional judgement, as defined in *Growing Success*, when selecting and using diagnostic assessment tools. Teachers must utilize diagnostic assessment during the school year, selecting tools from the board's approved list. In selecting and using diagnostic assessment tools from the board's list, teachers shall determine the following:

- the diagnostic assessment tools that are applicable
- which student(s) will be assessed (individual student, small group, or whole class)
- the frequency of use of the diagnostic assessment tools
- the appropriate timing of the use of the diagnostic assessment tools

Principals

Principals play an important role in ensuring a consistent and continuous school-wide focus on student learning. Through the use of a variety of tools to support and monitor student progress, principals will continue to provide leadership when working in collaboration with teachers to gather information about student learning in support of school and board improvement plans for student achievement.

Boards

Through the use of quality diagnostic assessment tools, valid and reliable data and information on student achievement is collected. Boards shall establish and provide a list of approved diagnostic assessment tools that are consistent with their board plans for improving student learning and achievement. In consultation with teachers and principals, boards will continue to collaborate to develop a common

understanding of the planning process and the need for student data and information that can inform actions taken to improve student learning. Boards will continue to periodically review and update, where necessary, the approved list of diagnostic assessment tools.

Policy/Program Memorandum 154

Date of Issue: June 12, 2012

Effective: Until revoked or modified

Subject: Applications for letters of permission for positions requiring a registered early childhood educator

Application: Directors of Education
Supervisory Officers of School Authorities

References: Ontario Regulation 322/10, "Letters of Permission – Early Childhood Educators"
This memorandum replaces Policy/Program Memorandum No. 154, August 18, 2010.

Introduction

The Education Act requires school boards^[1] to designate at least one position in each full-day Kindergarten class in each school of the board where there are sixteen or more students and in each extended-day program unit as a position requiring a registered early childhood educator – that is, a member of the College of Early Childhood Educators.^[2]

Ontario Regulation 322/10, "Letters of Permission – Early Childhood Educators", came into force on August 16, 2010. This regulation governs requirements for school boards regarding applications for Letters of Permission to appoint persons who are not registered early childhood educators to positions designated as requiring a registered early childhood educator.

The purpose of this memorandum is to provide boards with information on requirements for submitting an application, a description of the application process, and the application form.

Legislative authority

Subsection 8(1), paragraph 10.1, of the Education Act provides that the Minister may grant a Letter of Permission to a school board authorizing the board to appoint for a period not exceeding one year an individual who is not a member of the College of Early Childhood Educators – that is, an individual who is not a registered early childhood educator – to a position in a full-day Kindergarten class where there are sixteen or more students or in an extended-day program unit designated as requiring a registered early childhood educator, if the Minister is satisfied that no registered early childhood educator is available.

The Minister has delegated authority to grant Letters of Permission to the regional managers of the regional offices of the ministry.

Ontario Regulation 322/10 sets out the criteria governing the granting of Letters of Permission (<https://www.ontario.ca/laws/regulation/100322>). The regulation can be found on the Ontario government website.

Requirements for school boards

School boards must make every effort to appoint individuals who are registered early childhood educators to positions that the board has designated as requiring an early childhood educator. Such efforts include reviewing the board list of occasional registered early childhood educators for potential candidates for the vacant position.

The following requirements apply to school boards that submit applications for Letters of Permission authorizing them to appoint a person who is not a registered early childhood educator to a position designated as requiring an early childhood educator.

Application process for a Letter of Permission

To request a Letter of Permission, the director of education of a board, the secretary of a board, or the supervisory officer of a school authority must submit a completed Application for an Early Childhood Educator Letter of Permission to the appropriate regional office of the ministry.

School boards must ensure that the duration of the appointment to the position for which they are requesting a Letter of Permission does not exceed one year (that is, twelve months).

A school board cannot submit an application until at least the seventh day after the closing date of a competition to fill a position for an early childhood educator.

Every application must include a signed declaration of the director of education of the board, the secretary of the board, or the supervisory officer of the school authority stating that the requirements of the regulation have been met. This declaration must also include confirmation that no registered early childhood educator applied for the position for which the Letter of Permission is being requested, or, if a registered early childhood educator did apply, he or she did not accept the position.

School boards must be able to provide evidence that they have complied with the requirements set out in the regulation, if asked to do so by the Minister.

Fulfilment of advertising requirements

The advertising requirements set out in Ontario Regulation 322/10 reflect the requirement that school boards demonstrate that they have made reasonable efforts to make registered early childhood educators aware of the vacant early childhood educator position for which the Letter of Permission is being requested.

The declaration by the person submitting the application must confirm that the school board has advertised at least once the position designated as requiring a registered early childhood educator for which the Letter of Permission is being requested. This advertisement must have been made public in *one* of the following two ways:

- the advertisement must have been published in a daily newspaper that has provincial circulation in Ontario (e.g., *The Globe and Mail*, *The National Post*, *Le Droit*) for at least three days, and at least one of those days must have been “within the five days before the closing date of the competition for the position”
- the advertisement must have been posted on a publicly accessible website, approved by the Minister, for at least ten days, and it must not have been removed before the closing date of the competition for the position. Approved websites are www.educationcanada.com (<https://www.educationcanada.com/>), www.workopolis.com (<https://www.workopolis.com/en/>), www.applytoeducation.com (<https://www.applytoeducation.com/>), and www.jobsineducation.com (<http://jobsineducation.com/>)

The person submitting the application must declare that the advertisement was also posted on at least two job-posting websites, approved by the Minister, of a university, college of applied arts and technology, or private career college^[3] offering early childhood education diploma or degree programs. Where the chosen institution does not have a career website or location for job postings, but is a likely source of candidates, the board must have forwarded the advertisement to the heads of early childhood education departments or equivalent leadership positions.

The person submitting the application must also declare that every day that the advertisement was publicly available was “within the 30 days before the closing date of the competition for the position”. The advertisement must also have included the following information:

- the closing date of the competition for the position
- details of the position
- the duration of employment

Background checks

School boards are required to make every effort to ensure student safety. The application requires the person submitting it to declare that the school board has conducted a reference check of the individual whom the board proposes to appoint under the Letter of Permission for a position designated as requiring a registered early childhood educator and that it is satisfied with the results. The declaration also must confirm that the board has collected a “personal criminal history” of this individual, as defined in Ontario Regulation 521/01, “Collection of Personal Information”, made under the Education Act.

In addition, the declaration must include confirmation that the individual whom the board proposes to appoint to the position meets the following requirements:

- he or she is eighteen years of age or older, and holds an Ontario Secondary School Diploma, an Ontario Secondary School Graduation Diploma, or an Ontario Secondary School Honour Graduation Diploma, or the equivalent
- he or she is not and has never been a member of the College of Early Childhood Educators
- he or she has given the board a written statement that any certificate or licence granted to him or her by another jurisdiction for the practice of early childhood education is not cancelled, revoked, or suspended for any reason other than for failure to pay fees or levies

to the governing body

Subsequent appointments under the authority of Letters of Permission for positions designated as requiring an early childhood educator

A Letter of Permission shall be effective for the period specified in it, which, as stated above, may not exceed one year. If an application is for an individual who is being considered for a subsequent appointment under a Letter of Permission for positions designated as requiring an early childhood educator, the declaration of the person submitting the application must confirm that the individual has provided the board with documentation to demonstrate that he or she has made progress towards obtaining the qualifications necessary to become a member of the College of Early Childhood Educators since the date that the most recent Letter of Permission was granted, and that the board is satisfied with the documentation.

Documentation may include, but is not limited to, the following:

- transcripts
- the acceptance letter from, or confirmation of registration in, an early childhood education program approved or accepted by the College of Early Childhood Educators and offered by a college of applied arts and technology, university, or private career college

In cases where two or more Letters of Permission have been granted to a board to appoint an individual to a designated early childhood educator position and the individual has not been able to make progress towards becoming a member of the College of Early Childhood Educators owing to extenuating circumstances (e.g., maternity leave, illness, disability, lack of availability of courses), the board is required to obtain from the individual relevant and satisfactory documentation and information with respect to the extenuating circumstances.

An individual cannot be appointed under a Letter of Permission to positions designated as requiring an early childhood educator for more than a total of four years.

School boards are encouraged to develop a performance appraisal process for individuals working as early childhood educators under an early childhood educator Letter of Permission.

Starting date of employment

School boards must ensure that the anticipated starting date for employment in the early childhood educator position for which they are requesting a Letter of Permission is *no later than thirty days* after the closing date of the competition for the position. If a Letter of Permission is granted, it is effective as of the starting date of the position.

Board review of letters of permission

Letters of Permission are granted only when a registered early childhood educator is not available or is not willing to accept the appointment to a position designated as requiring an early childhood educator, so it is important that boards regularly review their usage of Letters of Permission for appointing individuals to positions requiring an early childhood educator. School board staffing committees (or the equivalent) are requested to review and discuss at least once a year the board data on Letters of Permission with their board.

Ministry contact

School board officials who have questions about the application process for the early childhood education Letter of Permission should direct them to the Early Learning education officer at their local ministry regional office.

Application for an early childhood educator Letter of Permission

On behalf of _____

(name of school board)

a Letter of Permission is requested in order to appoint

 (name in full)

to a position in

 (a full-day Kindergarten class where there are sixteen or more students or an extended-day program unit) designated by the board as requiring a registered early childhood educator

at _____
 school

from _____

to _____

(Date)

Closing date of the competition for the position:

 (Date)

Declaration

I hereby declare that the school board has complied with Ontario Regulation 322/10, "Letters of Permission – Early Childhood Educators", made under the Education Act, and that the following requirements have been met:

- no registered early childhood educator (i.e., a member of the College of Early Childhood Educators) has applied for the position *or* no registered early childhood educator who applied for the position has accepted it
- the board has publicly advertised at least once the position referred to in this application in *one* of the following ways (*check one*):
 - the advertisement was published in a daily newspaper that has provincial circulation in Ontario for at least three days, and at least one of those days was within the five days before the closing date of the competition for the position
 - the advertisement was posted on a publicly accessible website, approved by the Minister, for at least ten days, and it was not removed before the closing date of the competition for the position
- the advertisement was posted on at least two job-posting websites, approved by the Minister, of a university, college of applied arts and technology, or private career college offering early childhood education diploma or degree programs. Where the chosen institution does not have a career website or location for job postings, but is a likely source of candidates, the board has forwarded the advertisement to the heads of early childhood education departments or equivalent positions
- every day that the advertisement appeared was within the thirty days before the closing date of the competition
- the individual named in this application meets *all* of the following requirements:
 - he or she is eighteen years of age or older, and holds an Ontario Secondary School Diploma, an Ontario Secondary School Graduation Diploma, or an Ontario Secondary School Honour Graduation Diploma, or the equivalent
 - he or she is not and has never been a member of the College of Early Childhood Educators
 - he or she has given the board a written statement declaring that any early childhood education certificate or licence granted to him or her by another jurisdiction is not cancelled, revoked, or suspended for any reason other than for failure to pay fees or levies to the governing body
- the board has not previously been granted an Early Childhood Educator Letter of Permission with respect to the individual named in this application.
or
- this is an application for a subsequent appointment under an Early Childhood Educator Letter of Permission, and one of the following statements applies (*check one*):
 - the board has previously been granted an Early Childhood Educator Letter of Permission authorizing it to appoint the individual named in this application. The board has obtained satisfactory documentation demonstrating that the individual has made

progress towards obtaining the qualifications necessary to become a member of the College of Early Childhood Educators. The individual has been employed by the board under Early Childhood Educator Letters of Permission for less than a total of four years

- the board has previously been granted an Early Childhood Educator Letter of Permission authorizing it to appoint the individual named in this application. Although the individual has not been able to make progress towards becoming a member of the College of Early Childhood Educators owing to extenuating circumstances, the board has obtained relevant and satisfactory documentation and information with respect to the extenuating circumstances. The individual has been employed by the board under Early Childhood Educator Letters of Permission for less than a total of four years
- the board has conducted the following background checks of the individual named in this application:
 - the board has collected “a personal criminal history”, as defined in Ontario Regulation 521/01, “Collection of Personal Information”, made under the Education Act
 - the board has conducted a reference check of the individual, and is satisfied with the results

In addition, I declare that the board has reviewed its list of occasional registered early childhood educators, if any, and has not identified an available or willing candidate for the position.

Date

Signature

Director of education of the board, secretary of the board, or supervisory officer of the school authority

Print name

Director of education of the board, secretary of the board, or supervisory officer of the school authority

Policy/Program Memorandum 153

Date of Issue: May 25, 2010

Effective: May 25, 2010, until revoked or modified

Subject: Applications for Temporary Letters of Approval

Application: Directors of Education
Secretary-Treasurers and Supervisory Officers of School Authorities

Reference: Regulation 298, “Operation of Schools – General”

Introduction

Amendments to Regulation 298, “Operation of Schools – General”, made under the Education Act, came into force on May 20, 2010. The revised Regulation 298 includes the requirements for school boards^[1] regarding applications for Temporary Letters of Approval. These requirements were previously set out in Ontario Regulation 184/97, “Teachers Qualifications”, made under the Ontario College of Teachers Act, 1996.

The purpose of this memorandum is to provide school boards with information on requirements for submitting an application for a Temporary Letter of Approval to the Ministry of Education, a description of the application process, and the application form.

Legislative authority

The Minister of Education has the authority under the Education Act to grant a Temporary Letter of Approval (<https://www.ontario.ca/laws/regulation/900298>), for a period of up to one year, authorizing a school board to assign or appoint a teacher^[2] to teach a subject, to teach in a division, or to hold a position, where the teacher does not have the required qualifications. The Minister also has the authority, subject to the approval of the Lieutenant-Governor in Council, to make regulations governing the granting of Temporary Letters of Approval.

The Minister has delegated authority to grant Temporary Letters of Approval to the managers of the regional offices of the ministry.

The revised Regulation 298 sets out the criteria governing the granting of a Temporary Letter of Approval (<https://www.ontario.ca/laws/regulation/900298>), as well as the application requirements. The regulation can be found on the Ontario government website.

The following requirements apply to school boards that submit applications for Temporary Letters of Approval on or after May 25, 2010.

Requirements for school boards

If a school board finds it necessary to assign or appoint a teacher to teach a subject, to teach in a division, or to hold a position for which he or she does not have the required qualifications, the board may request a Temporary Letter of Approval. A Temporary Letter of Approval is commonly required to:

- allow a teacher who does not have a qualification in a division to be assigned to teach in the primary or junior division or to teach a general education^[3] subject in the intermediate or senior division
- allow a teacher who does not have a qualification in technological education^[4] to be assigned to teach a technological education subject
- allow a teacher who does not have a qualification in French as a second language (FSL) to be assigned to teach French as a second language
- allow a teacher who does not have French-language qualifications in a division to be assigned to teach in the primary or junior division where French is the language of instruction
- allow a teacher who does not have English-language qualifications in a division to be assigned to teach in the primary or junior division where English is the language of instruction
- allow a teacher who does not have a qualification in special education to be assigned to teach or be placed in charge of a special education program or class
- allow a teacher who does not have a qualification in teaching students who are deaf or hard of hearing or students who are blind or who have limited vision to be assigned to teach these students
- allow a teacher who does not have principal's qualifications to be assigned to hold a position as a principal or vice-principal

Before submitting an application for a Temporary Letter of Approval, the school board must be satisfied that the teacher is competent to teach the subject, to teach in the division, or to hold the position, and must also ensure that the teacher has agreed to the assignment or appointment. The board should therefore assess the teacher's teaching experience and formal education credentials (including teaching qualifications), and take into consideration any other information that may be relevant. First and foremost, the school board must give consideration to providing the best possible program and ensuring the safety and well-being of the students.

Application process for a Temporary Letter of Approval

The director of education, or other school board official authorized by the board to make the application, may submit a request for a Temporary Letter of Approval on behalf of the school board. The school board official should submit a completed Application for a Temporary Letter of Approval to the appropriate regional office of the ministry (see form at end of this memorandum (<http://www.edu.gov.on.ca/extra/eng/ppm/ppm153Letter.pdf>)).

Every Application for a Temporary Letter of Approval must include a signed declaration from the director of education, or other school board official authorized to make the application, stating that the following requirements of Regulation 298 have been met:

- the board finds it necessary to assign a teacher to teach a subject, to teach in a division, or to hold a position for which he or she does not have the qualifications required
- the teacher holds a Certificate of Qualification and Registration in good standing with the Ontario College of Teachers
- the teacher is competent to teach the subject, to teach in the division, or to hold the position
- the teacher has agreed to the assignment or appointment

The school board must be able to provide evidence that it has complied with these requirements, if asked to do so by the ministry.

Starting date and duration of assignment

School boards should ensure that the anticipated starting date for the assignment for which they are requesting a Temporary Letter of Approval is later than the date of submission of the application. If a Temporary Letter of Approval is granted, it is effective as of the starting date of the assignment.

School boards must ensure that the duration of the teacher's assignment for which they are requesting a Temporary Letter of Approval does not exceed the limit of one year (that is, twelve months) that is set out in the Education Act. Subject to this limit, a Temporary Letter of Approval may be granted for a period that extends beyond the end of a school year, but ends before the beginning of the next school year, if the assignment does not conform to the regular school-year calendar.

Subsequent requests for a Temporary Letter of Approval

A Temporary Letter of Approval may be granted for a teacher to teach a subject, to teach in a division, or to be assigned to a position for a subsequent school year. In such cases, a school board must submit a new Application for a Temporary Letter of Approval for the teacher. Each time an application is submitted, the director of education, or other board official who is authorized by the board to make the application, must certify that the board finds it necessary to assign a teacher to teach a subject, to teach in a division, or to hold a position for which he or she does not have the required qualifications.

School boards are expected to encourage teachers assigned under a Temporary Letter of Approval to make reasonable efforts to complete qualifications for the particular subject area, division, or position to ensure that they are qualified for that particular assignment in subsequent school years.

School board review of temporary letters of approval

School board staffing committees (or the equivalent) are requested to review and discuss on an annual basis data provided by the ministry on Temporary Letters of Approval.

Ministry contact

School board officials who have questions about the revised Temporary Letter of Approval application process should contact their local ministry regional office.

Application for a temporary letter of approval

Application for a temporary letter of approval (<http://www.edu.gov.on.ca/extra/eng/ppm/ppm153Letter.pdf>) (PDF, 36 KB)

Policy/Program Memorandum 152

Date of Issue: February 12, 2010

Effective: Until revoked or modified

Subject: Terms and conditions of employment of principals and vice-principals

Application: Directors of Education
Secretary-Treasurers and Supervisory Officers of School Authorities

Introduction

Ontario's publicly funded education system supports and reflects the democratic values of fairness, equity, and respect for all. Recognizing the importance of education, the Ontario government has established the following three core priorities:

- high levels of student achievement
- reduced gaps in student achievement
- increased public confidence in publicly funded education

In *Reach Every Student: Energizing Ontario Education, 2008*, the government reaffirmed its support for the role of the principal with a commitment to develop a more comprehensive leadership strategy. In September 2008, the Premier launched the Ontario Leadership Strategy, the goals of which are to attract the right people to become principals and to help them develop into the best possible

instructional leaders. Key components of the Ontario Leadership Strategy include mentoring for all newly appointed principals and vice-principals in their first two years of practice, performance appraisal of principals and vice-principals, and promotion of the Leadership Framework, as well as succession planning and talent development to ensure the best possible leadership in the years ahead.

The Ontario Leadership Strategy also focuses on establishing terms and conditions of employment for principals and vice-principals that are consistent across the province. In 2005, the government first introduced the idea of consistent terms and conditions in the discussion paper entitled *Leading Education: New Supports for Principals and Vice-principals in Ontario Publicly Funded Schools* (<http://www.edu.gov.on.ca/eng/general/elemsec/partnership/leadingEducation.html>). To support the government's commitment to establishing province-wide terms and conditions and to determine effective practices, the ministry facilitated joint meetings of associations of principals, supervisory officers, and directors of education from November 2008 to April 2009. As a result, in April 2009, the document entitled *Effective Practices Guide for Principal/Vice-principal Terms and Conditions of Employment* (http://www.edu.gov.on.ca/eng/policyfunding/leadership/TC_Guide.pdf) was released.

School culture is a significant determining factor in student learning, and the principal, as instructional leader, is critical to establishing this culture. Leadership and its impact on student achievement and well-being in a school board^[1] is the shared responsibility of the management team, and each member of that team plays a significant role. As part of the management team, principals^[2] and vice-principals are the link at the school level between the board, teachers, support staff, students, and parents^[3], all of whom are focused on student achievement and well-being. The development of clear terms and conditions of employment is an integral component of good succession planning and is seen as a factor to help attract potential school leaders.

Purpose

The purpose of this memorandum is to set out provincial standards of practice to assist school boards in establishing terms and conditions of employment of principals and vice-principals that are consistent province-wide.

Requirements for boards

All boards will implement this memorandum by March 31, 2011. School boards with existing terms and conditions for the employment of principals and vice-principals will review their document to ensure that it is in accordance with the requirements outlined in this memorandum. School boards without existing terms and conditions will develop a document that is in accordance with these requirements.

Standards of practice for establishing terms and conditions

The negotiation process

When negotiating terms and conditions of employment, the local parties shall use the following process:

- the board of trustees may set the negotiation parameters for school board management
- the director of education or his or her designate(s) shall be responsible for the development, negotiation, and implementation of the terms and conditions on behalf of the board
- principals and vice-principals shall have the right to representation by their local principal and vice-principal association
- prior to negotiations, all parties must agree on a process for resolving impasses in negotiations and disputes in the development of the terms and conditions
- the parties must negotiate in good faith. Such negotiation requires the following:
 - meaningful dialogue with the purpose of reaching agreement
 - presentation of views and objectives in the context of a negotiation process that respects the interests of both parties and is aimed at finding resolutions to differences
 - recognition of the right of the employee to choose his or her spokesperson (e.g., a representative of the local principal and vice-principal association)
 - sharing of relevant information
 - a process free from reprisals and intimidation
- upon agreeing to the terms and conditions, the director of education, or his or her designate(s), and the representative(s) of the local principal and vice-principal association shall sign the resulting document

- the signed terms-and-conditions document shall be the terms and conditions for all principals and vice-principals in the board
- the signed terms-and-conditions document shall be made available to all principals and vice-principals in the board and to all principal and vice-principal applicants
- the parties shall meet as needed to discuss material issues related to the terms-and-conditions document

Negotiated provisions

All terms and conditions of employment for principals and vice-principals shall contain the following locally negotiated provisions:

- the specific roles of the board and of the local principal and vice-principal association
- a dispute-resolution process regarding the negotiations process and the interpretation and application of the contents of the document
- procedures for discipline, demotion, suspension, and termination for just cause, including procedures for representation, appeals, and third-party assistance
- a consultative process regarding assignments, which would include a consideration of section B1, "Transfer Provisions", of *Effective Practices Guide for Principal/Vice-principal Terms and Conditions of Employment*
- redundancy procedures, which would include a consideration of section B2, "Redundancy and Reassignment", of *Effective Practices Guide for Principal/Vice-principal Terms and Conditions of Employment*
- indemnification
- the term of the agreement

The documents *Effective Practices Guide for Principal/Vice-principal Terms and Conditions of Employment* and "Questions and Answers: Terms and Conditions of Employment of Principals and Vice-principals, 2010" are provided with this memorandum to assist boards in the development of the provisions of their terms and conditions.

Policy/Program Memorandum 151

Date of Issue: July 28, 2023

Effective: Until revoked or modified

Subject: Professional Activity Days Devoted to Provincial Education Priorities

Application:

Directors of Education
School Authorities

References: Revised Regulations of Ontario 1990, Regulation 304, "School Year Calendar, Professional Activity Days".

This updated memorandum replaces Policy/Program Memorandum No. 151, April 12, 2022.

Introduction

The *Education Act* states that the Minister of Education may "establish policies and guidelines respecting criteria and topics for the professional activity days that are required by regulation and require boards to comply with the policies and guidelines."^[1]

Regulation 304, "School Year Calendar, Professional Activity Days",^[2] made under the *Education Act*, sets out the conditions governing the establishment of school year calendars. The regulation states that school boards^[3] must designate three professional activity (PA) days and may designate up to four additional PA days per school year.^[4] Half a school day may be designated for instructional programming and the other half for professional learning activities, but such a day constitutes a half-day in determining the number of instructional days in the school year.^[5]

Requirements for the three mandatory PA days in the 2023-24 school year are set out in this memorandum. The Ministry of Education reviews these requirements regularly to ensure that they reflect the provincial education priorities established by the Minister. If requirements change as a result of such a review, updates are made accordingly.

Context

The ministry recognizes the importance of professional learning that enhances educators' knowledge and skills for the effective support of all students and children^[6]. For the 2023-24 school year, mandatory Professional Activity (PA) days will focus on the priority areas of:

- Literacy and Mathematics
- Curriculum Implementation
- Student Well-being, School Safety and Violence Prevention

In accordance with the memo sent to school boards on April 6, 2023, and regarding planning for the 2023-24 school year, this memorandum:

- confirms the topics that school boards must address during the three mandatory PA days
- provides additional considerations and resources when planning for PA days during the 2023-24 school year

All school and school board staff have an important role to play in supporting the success, safety, resilience and mental health and well-being of all students in Ontario's publicly funded education system. All staff should be equipped with the knowledge, skills and tools to provide culturally responsive and relevant learning that affirms students' identities and meets the diverse learning needs of all students in school communities

School staff participation in professional development is crucial to creating conditions for equitable learning outcomes for every student. Building capacity at all levels of the education system and supporting a culture of professional learning is fundamental to the success of every student.

Requirements for school boards

Regulation 304 "School Year Calendar, Professional Activity Days" under the *Education Act* outlines the requirements for school boards in preparing and submitting school year calendars to the ministry.

School boards are required to submit a general outline of their PA day activities on or before **August 15, 2023 through the Ontario School Year Calendar (OSYC) application (<https://edcs.tcu.gov.on.ca/pr/collection>)**. The PA day descriptions will be reviewed by regional offices, which may be in contact with boards where necessary. Following this, boards will receive a written confirmation from the regional office, which will confirm completion of the 2023-24 school year calendar process.

Amendments to Regulation 304 outline requirements for school boards to offer greater transparency for parents and families. Starting in the 2023-24 school year, school boards are required to post a detailed summary of PA Day activities. At least 14 days in advance of each PA day, the detailed summary must be posted in a prominent location on the board's public website or that of the participating school(s) and submitted to the ministry as part of the existing OSYC submission process.

The detailed summary must include the following information:

- The date, timing and format of the activities and the name of the entity hosting the activities.
- The name of each school participating in the activities.
- The topic or focus of the activities.
- A description of the material to be covered, including the names and titles of persons presenting or delivering the material.
- A description of the methods by which material is to be presented and the methods of learning that are to be engaged.
- The titles of any resources that will be used as part of the activities and publication information in respect of those resources.

The detailed summary must also be:

- distributed to parents and guardians (e.g., email, newsletters),
- posted in a conspicuous location in the main office of the board and of each participating school,
- distributed to the chair of the school council of each participating school, and
- posted or distributed in any other manner that the board considers appropriate.

Additional supports will be made available to school boards in advance of the school year.

Requirements for the three mandatory professional activity days

Professional activities for the three mandatory PA days must focus on teachers' professional learning and align with provincial education priorities. These priorities are the criteria that determine the focus and scope of the professional activities for the three mandatory PA days.

Literacy and Mathematics

- Literacy:
 - All Kindergarten to Grade 3 teachers must receive professional learning on early reading instruction, universal design for learning, and screening **as early as possible** in the school year to ensure educators are prepared to support their students in a manner consistent with the recommendations in the Ontario Human Rights Commission's (<https://www.ohrc.on.ca/en/right-to-read-inquiry-report>) *Right to Read* report for the full school year. School boards should consider including early childhood educators, and other educators (e.g., teacher librarians, English as a Second-Language teachers), as appropriate, in this professional learning opportunity.
 - Other professional learning in literacy should include:
 - Implementation of the new Language/Français, Grades 1-8 curriculum and the new de-streamed Grade 9 English/Français course
 - Effective practices for supporting students in the new Grade 9 de-streamed English course to consolidate foundational knowledge and skills
 - Literacy across the curriculum
- Mathematics should include:
 - Supporting student improvement in K-12 Mathematics through high impact instructional approaches and alignment with curriculum
 - A focus on high-impact instructional practices to support students in the Grade 9 de-streamed math course

Curriculum Implementation

- For example, new and recently revised curriculum should be covered such as:
 - Language/Français, Grades 1-8 and the new de-streamed Grade 9 English/Français courses
 - Indigenous-focused revisions to Social Studies, Grades 1-3
 - New learning on Holocaust education in Social Studies, Grade 6
 - Grade 10 Computer Studies - Digital Technology and Innovations in the Changing World
 - Connections to skilled trades and apprenticeship
 - Continued professional learning in Mathematics, Science and Technology

Student Well-being, School Safety and Violence Prevention

- Time must be dedicated specifically for student mental health and well-being to enhance educator capacity to support student mental health, in addition to one or more of the following:
 - Cybersecurity and online privacy awareness
 - Anti-Sex Trafficking
 - Student safety and violent incident prevention

During the dedicated time for student mental health and well-being, Grades 7 and 8 teachers' professional activities are to focus on the implementation of the mental health literacy modules. All other teachers may focus on those modules or other relevant material to enhance educator capacity to support student mental health. The mental health literacy modules will be ready for the 2023-24 school year and will be available on the ministry's virtual learning environment.

These mandatory PA day topics can be delivered in an integrated manner to respond to local learning needs. Professional learning topics should support the inclusion of all students and incorporate teaching and learning that prevents and removes barriers for students with

disabilities and those facing marginalization. For example, when learning about student mental health and well-being, educators can examine practices that will amplify diverse student, parent/caregiver and community perspectives.

When planning professional learning activities for PA days, school boards should consider the following factors:

Literacy

School boards should consider:

- scientific, evidence-based approaches that emphasize direct, explicit and systematic instruction of foundational knowledge and skills in the elementary Language/Français curriculum and new de-streamed Grade 9 English/Français courses
- implementation of Universal Design for Learning, differentiated instruction and tiered approach to early reading instruction, including instructional practices informed by the results of early reading screening, with timely and more intensive instruction for students with reading difficulty, so that all students are supported to meet grade-level curricular goals, and to develop reading accuracy, fluency and comprehension

Mathematics

School boards should consider:

- strategies to support the consistent use of high-impact instructional practices
- leveraging Board Math Leads to design training for educators
- math instructional practices that incorporate the principles of Universal Design for Learning, differentiated instruction and the tiered approach to provide multiple avenues and responsive instruction for students to acquire, practice and demonstrate mathematical knowledge and skills

Student mental health and well-being

Consideration should be given to:

- strategies to support the mental health and well-being (<https://www.dcp.edu.gov.on.ca/en/program-planning/considerations-for-program-planning/student-well-being-and-mental-health>) of each student, including through the health and physical education curriculum and a focus on culturally responsive and relevant implementation of social-emotional learning (<https://www.dcp.edu.gov.on.ca/en/program-planning/cross-curricular-and-integrated-learning/social-emotional-learning-skills>) across the curriculum using outdoor learning and encouraging physical activity as strategies to promote experiential, active learning and positive mental health and well-being
- safe online practices to prevent online harms and exploitation, including cyber safety practices, privacy protection, and healthy screen use approaches that help educators foster a welcoming and inclusive learning environment that supports equity, helps prevent bullying and cyber-bullying and promotes positive mental health and well being
- implementation of new School Mental Health Ontario mental health literacy modules for Grades 7 and 8 students which will be made available on the Virtual Learning Environment (VLE) (<https://www.d2l.com/k-12-ontario/>)

Cybersecurity and online privacy awareness

School boards should consider:

- Creating a culture of cybersecurity and online privacy awareness across all schools, the school board and at all levels of the organization, which can significantly reduce the risk of cybersecurity and data breaches
- Providing cybersecurity and online privacy awareness resources that educators can adapt for and incorporate in the classroom for students – supporting healthy student digital and online habits
- Referencing applicable school and school board policies and procedures in the cybersecurity, online privacy and cyber safety awareness training – such as the board's online code of conduct, and acceptable use policies

Anti-sex trafficking

- The Policy/Program Memorandum 166: Keeping Students Safe: Policy Framework for School Board Anti-Sex Trafficking Protocols (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-166>) was released in July 2021

- A PA Day slide deck (<https://community.elearningontario.ca/d2l/login/>) has been developed to support school boards and school staff with their training effort to recognize, identify, respond to and prevent the sex trafficking of children and youth
- School boards should consider:
 - The information in the PA Day slide deck on anti-sex trafficking as core foundational knowledge that can be customized to support the implementation of local school board protocols
 - The additional resources the ministry is providing to support school boards and school staff to recognize, identify, respond to and prevent the sex trafficking of children and youth. These resources include a dedicated e-community on anti-sex trafficking within the Virtual Learning Environment (VLE) (<https://www.d2l.com/k-12-ontario/>) that is a repository for all the resources (such as, sample forms/templates, links to community organizations and service providers, etc.)

Violence prevention

School boards should consider:

- Strategies and supports for educators to help students develop social skills, including conflict resolution skills
- Non-stigmatizing ways for educators to proactively identify students in-risk and providing additional supports
- Developing practices that promote and sustain safe, healthy, and caring school environments that support every student to feel like an integral and contributing member of the school community
- Approaches for promoting positive mental health and reducing stigma associated with mental health issues
- Reviewing PPM 145: Progressive discipline and promoting positive student behaviour (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-145>) along with the school board's own progressive discipline policy and consider best practices for using progressive discipline that support positive student behaviour

Equity and human rights in education, anti-racism and anti-discrimination

School boards should consider:

- cultural shifts focusing on equity, human rights, and Indigenous rights are crucial for addressing structural inequities in schools and boards. Teachers must be more effective in culturally responsive instruction, assessment, and evaluation. Professional learning about equity and human rights can be integrated into board and school improvement plans.
- ways to confront discrimination that negatively affects student learning, achievement, and well-being, with the goal of improving outcomes for all students.
- equitable learning opportunities for students with disabilities and special education needs are essential. Community organizations and resources should provide culturally responsive services and supports to students, parents, and families.
- equity and inclusive education policies, with areas of focus supported by PPM No. 119, "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools", April 22, 2013. (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-119>)

Indigenous education

School boards should consider:

- ways to develop knowledge of the ongoing impacts of the *Indian Act*, the residential school system, treaties, and historical exclusion on Indigenous peoples
- working to strengthen understanding of First Nation, Métis, and Inuit perspectives, cultures, histories, languages and contributions, and the contemporary realities of Indigenous students
- the importance of reciprocal relationships with local First Nations, Métis and Inuit communities to help inform Indigenous focused teaching and learning
- ways to support educators to build their confidence and professional capacity to imbed Indigenous focused learning

Resources for school boards

The ministry will release a list of curated resources on the mandatory topics to Directors of Education for the 2023-24 school year. This will assist school boards to develop professional learning supports.

Additional requirements and considerations

School boards are advised to review their respective collective agreements (both central and local terms) and adhere to any requirements that may apply.

While the three mandatory PA days are focused on professional learning for teachers, school boards may include other educators on these three PA days. For example, educational assistants and early childhood educators in kindergarten classrooms may also benefit from participating in these or other professional learning opportunities, depending on the local context.

In response to local needs, school boards may also wish to provide ongoing professional learning connected to the topics of the three mandatory PA days, using established school board or school professional learning opportunities. Consideration should be given to collaborate with local Indigenous Education partners in planning and delivering professional development on Indigenous Education topics.

The ministry will continue to work with school boards and education partners to provide ongoing learning opportunities and resources throughout the school year to respond to needs that may arise during the school year.

Policy/Program Memorandum 150

Date of Issue: October 4, 2010

Effective: Until revoked or modified

Subject: School food and beverage policy

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 150, January 15, 2010.

Introduction

The Ontario government is committed to making schools healthier places for students in order to establish the conditions needed to realize the potential of all students. A healthy school environment enhances student learning and success, and enhances students' social and emotional well-being. Schools have an important role to play in helping students lead healthier lives, including teaching students the skills to make healthy choices and reinforcing those lessons through school practices.

The purpose of this memorandum is to set out nutrition standards for food and beverages sold in publicly funded elementary and secondary schools in Ontario.

Application

School boards^[1] are required to ensure that all food and beverages sold on school premises for school purposes meet the requirements of this memorandum, including the nutrition standards set out in the Appendix to this memorandum, by September 1, 2011. The nutrition standards apply to all food and beverages sold in all venues (e.g., cafeterias, vending machines, tuck shops), through all programs (e.g., catered lunch programs), and at all events (e.g., bake sales, sports events).

The standards do not apply to food and beverages that are:

- offered in schools to students at no cost
- brought from home or purchased off school premises and are not for resale in schools
- available for purchase during field trips off school premises
- sold in schools for non-school purposes (e.g., sold by an outside organization that is using the gymnasium after school hours for a non-school-related event)

- sold for fundraising activities that occur off school premises
- sold in staff rooms

Legislative authority

Paragraphs 29.3 and 29.4 of subsection 8(1) of the Education Act provide the Minister of Education with the authority to establish a policy with respect to nutrition standards for food and beverages and for any ingredient contained in food and beverages provided on school premises or in connection with a school-related activity, and to require school boards to comply with the policy.

Rationale for a school food and beverage policy

The school food and beverage policy contributes to improved education and health outcomes for all students. Research shows that "health and education success are intertwined: schools cannot achieve their primary mission of education if students are not healthy"^[2] and that "healthy eating patterns in childhood and adolescence promote optimal childhood health, growth, and intellectual development".^[3]

The school environment profoundly influences students' attitudes, preferences, and behaviours. Research also shows that when nutritionally inadequate food and beverages are available and promoted at school every day, even along with healthier food and beverages, it becomes increasingly difficult for students to have a healthy diet.^[4]

The implementation of the school food and beverage policy in Ontario's publicly funded schools will contribute to reducing students' risk of developing serious, chronic diseases, such as heart disease, type 2 diabetes, and certain types of cancer.

The school food and beverage policy constitutes a comprehensive approach to the sale of food and beverages in schools province-wide. The implementation of this policy is another important step in creating healthier schools in Ontario.^[5] It also reinforces the knowledge, skills, and attitudes regarding healthy eating that are developed through the various subjects and disciplines in the Ontario curriculum.

Nutrition standard

The nutrition standards embody the principles of healthy eating outlined in Canada's Food Guide, and are intended to ensure that the food and beverages sold in schools contribute to students' healthy growth and development. The nutrition standards for food and beverages are set out within the following two sections:

Nutrition Standards for Food. Food is divided into "Vegetables and Fruit", "Grain Products", "Milk and Alternatives", and "Meat and Alternatives", following Canada's Food Guide. There are also "Mixed Dishes", for products that contain more than one major ingredient (e.g., pizza, pasta, soup, salads, and sandwiches), and "Miscellaneous Items", for items that are to be used in limited amounts (e.g., condiments, sauces, dips, oils, dressings) and for confectionery, which is not permitted for sale (e.g., candy, chocolate).

Nutrition Standards for Beverages. Standards for beverages are provided separately for elementary schools and secondary schools.

The above two sections outline nutrition criteria^[6] that food and beverages must meet in order to be sold in schools. The nutrition criteria are provided in the following categories:

Sell Most (≥ 80%). Products in this category are the healthiest options and generally have higher levels of essential nutrients and lower amounts of fat, sugar, and/or sodium. They must make up *at least 80 per cent* of all food choices^[7] that are available for sale in all venues, through all programs, and at all events. The same requirement applies to beverage choices.^[8]

Sell Less (≤ 20%). Products in this category may have slightly higher amounts of fat, sugar, and/or sodium than food and beverages in the "Sell Most" category. They must make up *no more than 20 per cent* of all food choices that are available for sale in all venues, through all programs, and at all events. The same requirement applies to beverage choices.

Not Permitted for Sale. Products in this category generally contain few or no essential nutrients and/or contain high amounts of fat, sugar, and/or sodium (e.g., deep-fried and other fried foods, confectionery). Food and beverages in this category may not be sold in schools.

Often a type of food or beverage (e.g., bread, meat, cheese) will fit in all three of the above categories, depending on its nutritional value. To determine whether a specific product may be sold in schools, it is necessary to read the information on the food label – particularly the Nutrition Facts table and the ingredient list – and compare this information with the nutrition criteria.

Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbecuing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying.

Exemption for special-event days

The school principal may designate up to ten days (or fewer, as determined by the school board) during the school year as special-event days on which food and beverages sold in schools would be exempt from the nutrition standards outlined in this memorandum. The school principal must consult with the school council prior to designating a day as a special-event day. School principals are encouraged to consult with their students in making these decisions.

Notwithstanding this exemption, on special-event days, schools are encouraged to sell food and beverages that meet the nutrition standards set out in this memorandum.

Additional requirements

The following requirements must also be met:

- School boards must comply with Ontario Regulation 200/08, "Trans Fat Standards", and any other applicable regulations made under the Education Act.
- Principals must take into consideration strategies developed under the school board's policy on anaphylaxis to reduce the risk of exposure to anaphylactic causative agents.
- Food and beverages must be prepared, served, and stored in accordance with Regulation 562, "Food Premises", as amended, made under the Health Protection and Promotion Act.
- School boards must ensure that students have access to drinking water during the school day.
- The diversity of students and staff must be taken into consideration in order to accommodate religious and/or cultural needs.

Practices for consideration

Boards and schools should take into consideration the following when food or beverages are sold or provided in schools:

- Offer, when available and where possible, food and beverages that are produced in Ontario.
- Be environmentally aware (e.g., reduce food waste, reuse containers, recycle food scraps).
- Avoid offering food or beverages as a reward or an incentive for good behaviour, achievement, or participation.

Implementation and monitoring

Any existing school board policies or guidelines related to food and beverages sold in schools must be in accordance with this memorandum. The ministry recognizes that there may be differences in approaches and implementation at the local level. School boards and schools are encouraged to continue to work with students, parents, school staff, community members, public health professionals, and food service providers to ensure that appropriate strategies are in place to implement this memorandum.

School boards are encouraged to consult with their board of health to implement the nutrition standards. Under Ontario Public Health Standards, 2008, boards of health have a mandate to work with school boards and schools on healthy eating in schools.

School boards are responsible for monitoring the implementation of this memorandum.

At the end of the 2010-11 school year, school boards will be required to attest that they will be in full compliance with this memorandum on September 1, 2011.

For more information on support that is available to assist with implementation, see www.ontario.ca/healthyschools (<https://www.ontario.ca/healthyschools>).

Appendix: nutrition standards for Ontario schools

Read the information on the food label – particularly the Nutrition Facts table and the ingredient list – and compare this information with the nutrition criteria outlined below in order to determine whether a food or beverage may be sold at the school.

Products in the “Sell most” category must make up *at least 80 per cent* of all food choices and *at least 80 per cent* of all beverage choices that are available for sale in all venues, through all programs, and at all events on school premises.

Products in the “Sell less” category must make up *no more than 20 per cent* of all food choices and *no more than 20 per cent* of all beverage choices that are available for sale in all venues, through all programs, and at all events on school premises.

Nutrition standards for food

All food sold in schools must meet the standards set out in Ontario Regulation 200/08, “Trans Fat Standards”, made under the Education Act.

Vegetables and fruit

- Compare the nutrition criteria below with the Nutrition Facts table and the ingredient list on the food label.
- See the section “Nutrition standards for beverages” for the nutrition criteria for vegetable and fruit juices and juice blends.
- Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbecuing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying.

Fresh, frozen, canned, and dried vegetables and fruit

Sell most (≥ 80%) nutrition criteria

Vegetable or fruit is the first item on the ingredient list **and** fat: ≤ 3g **and** sodium: ≤ 360mg

Examples:

- fresh or frozen vegetables with little or no added salt
- fresh or frozen fruit with no added sugar
- canned vegetables
- canned fruit packed in juice or light syrup
- unsweetened apple sauce
- some low-fat frozen potato products, including French fries
- some dried fruit and 100% fruit leathers^[9]

Sell less (≤ 20%) nutrition criteria

Vegetable or fruit is the first item on the ingredient list **and** fat: ≤ 5g **and** saturated fat: ≤ 2g **and** sodium: ≤ 480mg

Examples:

- some dried fruit and 100% fruit leathers
- lightly seasoned or sauced vegetables and fruit
- some prepared mixed vegetables

Not permitted for sale nutrition criteria

Sugar^[10] is the first item on the ingredient list **or** fat: > 5g **or** saturated fat: > 2g **or** sodium: > 480mg

Examples:

- vegetable and fruit products prepared with higher amounts of fat, sugar, and/or salt, including deep-fried vegetables
- some packaged frozen and deep-fried potato products, including hash browns and French fries
- some fruit snacks made with juice (e.g., gummies, fruit rolls)

Canned tomatoes and tomato-based products

Sell most (≥ 80%) nutrition criteria

Fat: ≤ 3g **and** sodium: ≤ 480mg

Examples:

- some whole, crushed, or diced tomatoes
- some pasta sauce

Not permitted for sale nutrition criteria

Fat: > 3g **or** sodium: > 480mg

Examples:

- whole, crushed, or diced tomatoes that are higher in fat or sodium
- pasta sauce that is higher in fat or sodium

Vegetable and fruit chips**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 3g **and** sodium: ≤ 240mg

Examples:

- some lower-fat, lower-sodium vegetable chips (e.g., potato, carrot)
- some lower-fat, lower-sodium fruit chips (e.g., banana, apple, pear)

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 5g **and** saturated fat: ≤ 2g **and** sodium: ≤ 480mg

Examples:

- some vegetable chips (e.g., potato, carrot)
- some fruit chips (e.g., banana, apple, pear)

Not permitted for sale nutrition criteria

Fat: > 5g **or** saturated fat: > 2g **or** sodium: > 480mg

Examples:

- some vegetable chips that are higher in fat or sodium
- some fruit chips that are higher in fat or sodium

Grain products

- Compare the nutrition criteria below with the Nutrition Facts table and the ingredient list on the food label.
- Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbequing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying.

Bread**Sell most (≥ 80%) nutrition criteria**

Whole grain is the first item on the ingredient list **and** saturated fat: ≤ 2g **and** sodium: ≤ 240mg **and** fibre: ≥ 2g

Examples:

- whole grain breads, including buns, bagels, English muffins, rolls, naan, pitas, tortillas, chapattis, rotis, bannock
- whole grain pizza dough and flatbread

Sell less (≤ 20%) nutrition criteria

Saturated fat: ≤ 2g **and** sodium: ≤ 480mg

Examples:

- white (enriched) breads, including buns, bagels, English muffins, rolls, naan, pitas, tortillas, chapattis, rotis, bannock
- white (enriched) pizza dough

Not permitted for sale nutrition criteria

Saturated fat: > 2g **or** sodium: > 480mg

Examples:

- white breads that are higher in fat or sodium
- some cheese breads, scones, and biscuits

Pasta, rice, and other grains**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 3g **and** saturated fat: ≤ 2g **and** sodium: ≤ 240mg

Examples:

- whole wheat or white (enriched) pasta, including couscous
- white, brown, and wild rice, rice noodles, and soba noodles
- quinoa, bulgur, wheat berries, spelt, and other whole grains

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 5g **and** saturated fat: ≤ 2g **and** sodium: ≤ 480mg

Examples:

- some pasta, rice, and other grains

Not permitted for sale nutrition criteria

Fat: > 5g **or** saturated fat: > 2g **or** sodium: > 480mg

Examples:

- some pasta, rice, and other grains that are higher in fat, saturated fat, or sodium

Baked goods**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 5g **and** saturated fat: ≤ 2g **and** fibre: ≥ 2g

Examples:

- some muffins, cookies, grain-based bars
- some whole grain waffles and pancakes

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 10g **and** saturated fat: ≤ 2g **and** fibre: ≥ 2g

Examples:

- some muffins, cookies, grain-based bars, snacks
- some waffles and pancakes

Not permitted for sale nutrition criteria

Fat: > 10g **or** saturated fat: > 2g **or** fibre: < 2g

Examples:

- most croissants, danishes, cakes, doughnuts, pies, turnovers, pastries
- some cookies and squares

Grain-based snacks**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 3g **and** saturated fat: ≤ 2g **and** sodium: ≤ 240mg

Examples:

- some whole grain crackers, pita chips, and flatbreads
- some packaged crackers and popcorn

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 5g **and** saturated fat: ≤ 2g **and** sodium: ≤ 480mg

Examples:

- some crackers, pretzels, and popcorn

Not permitted for sale nutrition criteria

Fat: > 5g **or** saturated fat: > 2g **or** sodium: > 480mg

Examples:

- crackers, pretzels, and popcorn higher in fat and sodium
- most corn chips and other snack mixes

Cereals**Sell most (≥ 80%) nutrition criteria**

Whole grain is the first item on the ingredient list **and** saturated fat: ≤ 2g **and** fibre: ≥ 2g

Examples:

- some breakfast cereals, including oatmeal, some granola, and cold cereals containing fibre

Not permitted for sale nutrition criteria

Whole grain is *not* the first item on the ingredient list **or** saturated fat: > 2g **or** fibre: < 2g

Examples:

- some breakfast cereals

Milk and alternatives

- Compare the nutrition criteria below with the Nutrition Facts table and the ingredient list on the food label.
- See the section “Nutrition standards for beverages” for the nutrition criteria for fluid milk and fluid milk alternatives.

Yogurt/Kefir**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 3.25% M.F.^[10] or ≤ 3g

Examples:

- plain and flavoured yogurt, yogurt tubes

Not permitted for sale nutrition criteria

Fat: > 3.25% M.F. or > 3g

Examples:

- yogurt higher in fat, such as Balkan-style

Cheese^[11]**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 20% M.F. **and** sodium: ≤ 360mg **and** calcium: ≥ 15% DV^[12]

Examples:

- cheeses lower in fat and sodium, including part-skim mozzarella, light cheddar, some Swiss and ricotta

Sell less (≤ 20%) nutrition criteria

Sodium: ≤ 480mg **and** calcium: ≥ 15% DV

Examples:

- most hard and soft, non-processed cheese, including cheddar, mozzarella, brick, parmesan, some feta, Monterey jack, havarti, and gouda
- cottage cheese, cheese curds, and cheese strings

Not permitted for sale nutrition criteria

Sodium: > 480mg **or** calcium: < 15% DV

Examples:

- some processed cheese products
- most cream cheese

Milk-based desserts**Sell less (≤ 20%) nutrition criteria**

Fat: ≤ 5g **and** sodium: ≤ 360mg **and** calcium: ≥ 5% DV

Examples:

- some frozen yogurt, puddings, custards, ice milk, gelato

Not permitted for sale nutrition criteria

Fat: > 5g **or** sodium: > 360mg **or** calcium: < 5% DV

Examples:

- some puddings
- most frozen desserts high in fat and sugar, including ice cream, ice cream bars, ice cream cakes, and ice cream sandwiches

Meat and alternatives

- Compare the nutrition criteria below with the Nutrition Facts table and ingredient list on the food label.
- Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbequing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying.

Fresh and frozen meat

Sell most (≥ 80%) nutrition criteria

Fat: ≤ 10g **and** sodium: ≤ 480mg

Examples:

- extra-lean ground meat
- lean beef, goat, lamb, pork, or poultry
- some breaded chicken strips and nuggets
- some lean meatballs
- some lean hamburger patties

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 14g **and** sodium: ≤ 480mg

Examples:

- lean ground meat
- beef, goat, lamb, pork, or poultry
- some breaded chicken strips and nuggets
- some meatballs
- some hamburger patties

Not permitted for sale nutrition criteria

Fat: > 14g **or** sodium: > 480mg

Examples:

- meat that contains higher amounts of fat or sodium, including chicken wings, bacon, pork and beef ribs
- some wieners

- most pepperoni sticks
- most beef/turkey jerk products

Deli (sandwich) meat**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 5g **and** sodium: ≤ 480mg

Examples:

- some lean deli meat

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 5g **and** sodium: ≤ 600mg

Examples:

- some lean deli meat

Not permitted for sale nutrition criteria

Fat: > 5g **or** sodium: > 600mg

Examples:

- deli meat higher in fat or sodium

Fish**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 8g **and** sodium: ≤ 480mg

Examples:

- fresh, frozen, or canned fish

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 12g **and** sodium: ≤ 480mg

Examples:

- some frozen, breaded fish (e.g., fish sticks)
- fresh, frozen, or canned fish

Not permitted for sale nutrition criteria

Fat: > 12g **or** sodium: > 480mg

Examples:

- some breaded or battered fish higher in added fat or sodium
- fresh or frozen fish with a higher mercury content*

*Certain types of fish may contain levels of mercury that can be harmful to human health. Fish caught in local lakes and streams may have different levels of mercury from those found in stores. Canned “light” tuna contains less mercury than “white” or “albacore” tuna, and salmon generally has low levels of mercury. See Health Canada’s website for continually updated information and a list of fish with low levels

of mercury (<https://www.canada.ca/en/health-canada/services/food-nutrition/food-safety/chemical-contaminants/environmental-contaminants/mercury/mercury-fish.html>) .

Eggs

Sell most (≥ 80%) nutrition criteria

Fat: ≤ 7g **and** sodium: ≤ 480mg

Not permitted for sale nutrition criteria

Fat: > 7g **or** sodium: > 480mg

Nuts, protein butters, and seeds

Sell most (≥ 80%) nutrition criteria

Not coated with candy, chocolate, sugar, or yogurt **and** sodium: ≤ 480mg

Examples:

- nut, legume, and seed butters, including peanut, almond, walnut, soy, sesame, and sunflower
- nuts and seeds, including almonds, walnuts, peanuts, sunflower seeds, pumpkin seeds (papas)

Not permitted for sale nutrition criteria

Coated with candy, chocolate, sugar, and/or yogurt **or** sodium: > 480mg

Examples:

- coated nuts
- some roasted and salted nuts

Meat alternatives, such as tofu, beans, and lentils

Sell most (≥ 80%) nutrition criteria

Fat: ≤ 8g **and** sodium: ≤ 480mg **and** protein: ≥ 10g

Examples:

- some vegetarian burgers, simulated meat strips, veggie meatballs, veggie ground round, veggie wieners and sausages, tofu and tempeh
- beans and lentils

Not permitted for sale nutrition criteria

Fat: > 8g **or** sodium: > 480mg **or** protein: < 10g

Examples:

- some vegetarian products high in sodium
- some meat alternatives that are higher in fat or sodium or lower in protein

Mixed dishes

Note: Mixed dishes are products that contain more than one major ingredient.

Mixed dishes with a nutrition facts table

- Compare the nutrition criteria below with the Nutrition Facts table and the ingredient list provided by the supplier.

- Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbequing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying.

Entrées

(e.g., frozen pizza, sandwiches, pasta, hot dogs)

Sell most (≥ 80%) nutrition criteria

Fat: ≤ 10g **and** saturated fat: ≤ 5g **and** sodium: ≤ 960mg **and** fibre: ≥ 2g **and** protein: ≥ 10g

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 15g **and** saturated fat: ≤ 7g **and** sodium: ≤ 960mg **and** fibre: ≥ 2g **and** protein: ≥ 7g

Not permitted for sale nutrition criteria

Fat: > 15g **or** saturated fat: > 7g **or** sodium: > 960mg **or** fibre: < 2g **or** protein: < 7g

Soups

Sell most (≥ 80%) nutrition criteria

Fat: ≤ 3g **and** sodium: ≤ 720mg **and** fibre: ≥ 2g

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 5g **and** saturated fat: ≤ 2g **and** sodium: ≤ 720mg

Not permitted for sale nutrition criteria

Fat: > 5g **or** saturated fat: > 2g **or** sodium: > 720mg

Side dishes

(e.g., grain and/or vegetable salads)

Sell most (≥ 80%) nutrition criteria

Fat: ≤ 5g **and** saturated fat: ≤ 2g **and** sodium: ≤ 360mg **and** fibre: ≥ 2g

Sell less (≤ 20%) nutrition criteria

Fat: ≤ 7g **and** saturated fat: ≤ 2g **and** sodium: ≤ 360mg

Not permitted for sale nutrition criteria

Fat: > 7g **or** saturated fat: > 2g **or** sodium: > 360mg

Mixed dishes without a nutrition facts table

- For every ingredient used, refer to the nutrition criteria in this appendix for the appropriate food groups.
- Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbequing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying.

Entrées

(e.g., pizza, sandwiches, pasta, hot dogs)

Sell most (≥ 80%) nutrition criteria

All major ingredients^[11] are from the “Sell most” category.

Sell less (≤ 20%) nutrition criteria

One or more major ingredients are from the “Sell less” category.

Not permitted for sale nutrition criteria

Cannot be sold if prepared with any ingredients from the “Not permitted for sale” category.

Soups

Sell most (≥ 80%) nutrition criteria

All major ingredients are from the “Sell most” category.

Sell less (≤ 20%) nutrition criteria

One or more major ingredients are from the “Sell less” category.

Not permitted for sale nutrition criteria

Cannot be sold if prepared with any ingredients from the “Not permitted for sale” category.

Side dishes

(e.g., grain and/or vegetable salads)

Sell most (≥ 80%) nutrition criteria

All major ingredients are from the “Sell most” category.

Sell less (≤ 20%) nutrition criteria

One or more major ingredients are from the “Sell less” category.

Not permitted for sale nutrition criteria

Cannot be sold if prepared with any ingredients from the “Not permitted for sale” category.

Miscellaneous items

Minor ingredients

- The following are considered minor ingredients and are to be used in limited amounts, as defined under “Serving size”.
- Choose products that are lower in fat and/or sodium.

Ingredients	Serving size
Condiments and spreads	≤ 15ml (1 tbsp)
Gravies and sauces	≤ 60ml (4 tbsp)
Dips	≤ 30ml (2 tbsp)

Ingredients	Serving size
Fats	≤ 5ml (1 tsp)
Oils and dressings	≤ 15ml (1 tbsp)
Other (e.g., chocolate chips, coconut, olives, parmesan cheese)	≤ 15ml (1 tbsp)

Not permitted for sale: confectionery (examples)

- candy
- chocolate
- energy bars
- licorice
- gum
- gummies
- popsicles and freezies, if not prepared with 100% juice

Nutrition standards for beverages

Separate beverage standards are provided for elementary and secondary schools.

All beverages sold in schools must meet the standards set out in Ontario Regulation 200/08, “Trans Fat Standards”, made under the Education Act.

Beverages – elementary schools

Compare the nutrition criteria below with the Nutrition Facts table and ingredient list on the food label.

Water

Sell most (≥ 80%) nutrition criteria

Plain

Milk and milk-based beverages (plain or flavoured)

Sell most (≥ 80%) nutrition criteria

Fat: ≤ 2% M.F.^[13] or ≤ 5g **and** sugar: ≤ 28g **and** calcium: ≥ 25% DV^[14] **and** container size: ≤ 250ml

Not permitted for sale nutrition criteria

Fat: > 2% M.F. or > 5g **or** sugar: > 28g **or** calcium: < 25% DV **or** container size: > 250ml

Yogurt drinks

Sell most (≥ 80%) nutrition criteria

Fat: ≤ 3.25% M.F. or ≤ 3g **and** container size: ≤ 250ml

Not permitted for sale nutrition criteria

Fat: > 3.25% M.F. or > 3g **or** container size: > 250ml

Soy/Milk alternative beverages (plain or flavoured)**Sell most (≥ 80%) nutrition criteria**

Fortified with calcium and vitamin D **and** container size: ≤ 250ml

Not permitted for sale nutrition criteria

Unfortified **or** container size: > 250ml

Juices or blends: Vegetable or fruit**Sell most (≥ 80%) nutrition criteria**

100% juice, pulp, or purée **and** unsweetened/no sugar added **and** container size: ≤ 250ml

Not permitted for sale nutrition criteria

< 100% juice, pulp, or purée **or** sugar in the ingredient list **or** container size: > 250ml

Hot chocolate**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 2% M.F. or ≤ 5g **and** sugar: ≤ 28g **and** calcium: ≥ 25% DV **and** container size: ≤ 250ml

Not permitted for sale nutrition criteria

Fat: > 2% M.F. or > 5g **or** sugar: > 28g **or** calcium: < 25% DV **or** container size: > 250ml

Coffee and tea**Not permitted for sale nutrition criteria**

All coffee and tea

Iced tea**Not permitted for sale nutrition criteria**

All iced tea

Energy drinks**Not permitted for sale nutrition criteria**

All energy drinks

Sports drinks**Not permitted for sale nutrition criteria**

All sports drinks

Other beverages

(e.g., soft drinks; flavoured water; "juice-ades", such as lemonade, limeade)

Not permitted for sale nutrition criteria

All other beverages

Beverages – secondary schools

Compare the nutrition criteria below with the Nutrition Facts table and ingredient list on the food label.

Water**Sell most (≥ 80%) nutrition criteria**

Plain

Milk^[15] and milk-based beverages (plain or flavoured)**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 2% M.F.^[16] or ≤ 5g **and** sugar: ≤ 28g **and** calcium: ≥ 25% DV^[17]

Not permitted for sale nutrition criteria

Fat: > 2% M.F. or > 5g **or** sugar: > 28g **or** calcium: < 25% DV

Yogurt drinks**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 3.25% M.F. or ≤ 3g

Not permitted for sale nutrition criteria

Fat: > 3.25% M.F. or > 3g

Soy/milk alternative beverages (plain or flavoured)**Sell most (≥ 80%) nutrition criteria**

Fortified with calcium and vitamin D

Not permitted for sale nutrition criteria

Unfortified

Juices or blends: vegetable or fruit**Sell most (≥ 80%) nutrition criteria**

100% juice, pulp, or purée **and** unsweetened/no sugar added

Not permitted for sale nutrition criteria

< 100% juice, pulp, or purée **or** sugar in the ingredient list

Hot chocolate**Sell most (≥ 80%) nutrition criteria**

Fat: ≤ 2% M.F. or ≤ 5g **and** sugar: ≤ 28g **and** calcium: ≥ 25% DV

Not permitted for sale nutrition criteria

Fat: > 2% M.F. or > 5g or sugar: > 28g or calcium: < 25% DV

Coffee and tea**Sell less (≤ 20%) nutrition criteria**

Decaffeinated

Not permitted for sale nutrition criteria

Caffeinated

Iced tea**Sell less (≤ 20%) nutrition criteria**

Calories: ≤ 40 and decaffeinated

Not permitted for sale nutrition criteria

Calories: > 40 or caffeinated

Energy drinks**Not permitted for sale nutrition criteria**

All energy drinks

Sports drinks**Not permitted for sale nutrition criteria**

All sports drinks

Other beverages

(e.g., soft drinks; flavoured water; “juice-ades”, such as lemonade, limeade)

Sell less (≤ 20%) nutrition criteria

Calories: ≤ 40 and caffeine-free

Not permitted for sale nutrition criteria

Calories: > 40 or with caffeine

Policy/Program Memorandum 149

Date of Issue: September 25 2009

Effective: Until revoked or modified

Subject: Protocol for partnerships with external agencies for provision of services by regulated health professionals, regulated social service professionals, and paraprofessionals

Application: Directors of Education
Secretary-Treasurers and Supervisory Officers of School Authorities
Superintendents of Schools

Principals of Elementary Schools
Principals of Secondary Schools

Introduction

The ministry is committed to promoting effective community-based partnerships with external agencies that foster continuous improvement in the delivery of programs and services for all students, including students with special needs. Closing achievement gaps for all students continues to be a major priority.

The purpose of this memorandum is to provide direction to school boards^[1] concerning the review and/or development of a local protocol for partnerships with external agencies for the provision of services in Ontario schools by regulated health professionals, regulated social service professionals, and paraprofessionals. It outlines the requirements for reviewing and/or developing a local protocol, and specifies the requirements for implementing the protocol and for reporting on the protocol to stakeholders.

Requirements for Review and/or Development of a Board Protocol

School boards with an existing protocol will review their protocol to ensure that it is aligned with the requirements outlined in this memorandum. School boards without an existing protocol will develop a protocol that is aligned with those requirements. The protocol will be designed to support the school board's capacity to provide programs and services to all students, including students with special needs. The protocol will reflect local circumstances, including the language of the board.

The protocol will outline the following:

- programs and services that are currently delivered by external agencies
- programs and services that are currently delivered by school board professional student services personnel (PSSP) and paraprofessionals
- programs and services that could be delivered by school board PSSP and paraprofessionals, but are not being delivered by them for financial reasons or because requirements do not match the job descriptions or qualifications of board PSSP and/or paraprofessionals

A distinction must be made in the protocol between long-term and short-term (time-limited) partnerships to ensure that long-term duplication of services already provided by school board PSSP and paraprofessionals does not occur.

The protocol must be aligned with the collective agreements of unionized school board staff and enhance the delivery of services. The protocol must provide for supplementing, but not duplicating, the services of school board PSSP and paraprofessionals. A protocol will be developed by each school board even if there are currently no unionized regulated health professionals, regulated social service professionals, and paraprofessionals on staff.

Where applicable, co-terminus and contiguous school boards must, at a minimum, explore the development of partnerships and protocols to facilitate the delivery of programs and services.

Boards must seek the advice of PSSP and paraprofessionals when reviewing and/or developing their protocol. Boards will also design a procedure for reviewing their protocol and projected services in consultation with external agencies and unionized school board staff at least once a year.

Boards will also ensure that their protocol is consistent with standard school board provisions related to:

- informed consent
- criminal reference checks
- appropriate insurance coverage
- compliance with the *Safe Schools Act*
- conflict of interest, confidentiality, equity, human rights, and other relevant policies

Eligible Categories of Professionals and Paraprofessionals

A board's protocol will cover the following categories of PSSP and paraprofessionals:

- audiologists, as defined by the *Audiology and Speech-Language Pathology Act, 1991*

- speech-language pathologists, as defined by *the Audiology and Speech-Language Pathology Act, 1991*
- occupational therapists, as defined by the *Occupational Therapy Act, 1991*
- physiotherapists, as defined by the *Physiotherapy Act, 1991*
- psychologists, as defined by the *Psychology Act, 1991*
- psychological associates, as defined by the *Psychology Act, 1991*
- social workers, as defined by the *Social Work and Social Service Work Act, 1998*
- other regulated professionals and/or paraprofessionals who are deemed by the school board to be essential for the delivery of programs and services for students with special needs

Any future regulated categories will also be covered by the protocol.

Additional Requirements for the Board Protocol

In order to assist school boards and external agencies in the development, review, and maintenance of local protocols, a memorandum from the Deputy Minister of Education accompanies this policy/ program memorandum and outlines the elements that each protocol must contain. Any changes to the elements required in the local protocols will be communicated in the future to boards through a similar memorandum.

Implementation and Reporting

School boards will implement their newly developed or reviewed protocol and post it on their website by January 1 2010. Reviews of and revisions to established protocols will be completed and posted on school board websites by January 1 of each subsequent year.

Policy/Program Memorandum 148

Date of Issue: April 22, 2009

Effective: Until revoked or modified

Subject: Policies governing admission to French-language schools in Ontario

Application: Directors of Education
Supervisory Officers of School Authorities
Superintendents of Education
Supervisory Officer of Centre Jules-Léger
Principals of Elementary and Secondary Schools

References: Section 23 of the Canadian Charter of Rights and Freedoms.
Section 293 of the Education Act.
French Language Services Act.
Ontario's Aménagement Linguistique Policy for French-Language Education, 2005.

Introduction

This memorandum outlines for French-language school boards^[1] a process for reviewing their policies, guidelines, and administrative directives relating to admission of students to their schools against a suggested model policy. The purposes of this review include ensuring that admission to French-language schools is inclusive and that the admission process is transparent. Boards are asked to have any revised admission policies resulting from this review in place by January 15, 2010.

The purposes of asking school boards to review their admission policies are as follows:

- to ensure that boards include in their policies effective methods for recruiting eligible students
- to make the admission process at French-language schools as streamlined as possible for newcomers who are French-speaking
- to make provisions for possible admission of newcomers who speak neither French nor English to French-language schools

- to standardize the rules governing the operation of admission committees to ensure fairness across the province
- to increase accountability and transparency in the French-language education system to improve public confidence

Legislative and policy framework governing admission to French-Language Schools

Minority-language educational rights in Canada are embedded in the constitutional framework of section 23 of the Canadian Charter of Rights and Freedoms, which sets out the minimum requirements.

In the Education Act, the Legislative Assembly of Ontario has recognized rights and duties that are set out in section 23 of the Canadian Charter of Rights and Freedoms, as well as the right to a Catholic education that is set out in section 93 of the Constitution Act, 1867. In the French Language Services Act, the Legislative Assembly also declares that the French language is an official language in education, recognizes the contribution of the cultural heritage of the French-speaking population, and states that it wishes to preserve this cultural heritage for future generations.

As well, by enacting section 293 of the Education Act, the Ontario Legislature recognized the importance of extending the right to be admitted to a French-language school to children of parents^[2] who do not meet the basic criteria set out in section 23 of the charter. Under section 293, a mechanism was established – namely, the admission committee – by which it is possible to admit these children.

In addition to the provisions in the Education Act, the Ministry of Education established the *aménagement linguistique* policy to provide a framework for the development of the French-speaking community in Ontario. This framework is outlined in the ministry document entitled *Ontario's Aménagement Linguistique Policy for French-Language Education, 2005*. The continued flourishing of French-language schools in Ontario depends to a large extent on growth in enrolment. This memorandum also provides boards with direction for implementing the *aménagement linguistique* policy.

See the Appendix to this memorandum for relevant excerpts from the legislation referred to above.

Context

Over the past thirty years, the ethnolinguistic profile of the French-speaking community in Ontario has undergone a major transformation. Demographic trends such as the declining birthrate, the increase in immigration, exogamy, and the increased predominance of English in the global context make it imperative that French-language schools adapt to the needs of today's changing society. French-speaking newcomers, therefore, are a target group for admission to French-language schools, and should have better access to a French-language education.

At present, however, there is little uniformity in the operation of admission committees among school boards and even among schools within the jurisdiction of the same school board. It is therefore important that all school boards establish accountability measures to ensure that the admission process is fair and transparent.

Admission policy review process

Responsibilities of boards

French-language school boards are asked to:

- review their policies and administrative directives governing admission criteria and the admission process, including those governing admission committee operations, in accordance with the provisions in this memorandum;
- inform school principals of any changes to the admission criteria and process needed to standardize admission committee practices
- inform staff, parents, students, and the school community of any changes to the admission criteria and process
- submit their policies, as revised as a result of this review, to the ministry

In some cases, a board's revised policies might have to be approved by the trustees.

The Ministry of Education will provide the following resources to school boards to support the review process:

- a policy statement and guidelines on admission to help welcome students to Ontario's French-language schools, as well as resources approved by the Permanent French-Language Education Task Force
- the socio-demographic profile of each school community

- training sessions to facilitate the review of the process

Guiding principles

- The principles of justice, fairness, and transparency should guide the admission policy review. It is also important that school boards do the following:
 - honour and reflect the spirit of the laws regarding the mandate of French-language schools in Ontario; that is, the Canadian Charter of Rights and Freedoms, the French Language Services Act, and the Education Act
 - maintain the special nature of French-language schools
 - demonstrate inclusiveness
 - ensure that applications for admission are handled fairly
 - demonstrate transparency
 - take a future-oriented approach

School boards and school principals should also ensure that parents understand the changes to the admission criteria and process, as set out in the ministry document entitled *L'admission, l'accueil et l'accompagnement des élèves dans les écoles de langue française de l'Ontario – Énoncé de politique et directives, 2009*.

Consultation

The process by which school boards review admission policies should include provisions for consulting the parties concerned, or their representatives, and/or for ratifying the policies by the parties concerned, or their representatives. These parties include the following:

- parents
- school councils
- school principals or members of the school board's academic and administrative services, as well as leaders in matters of board priorities
- teaching staff
- students
- community partners and organizations, including ethnocultural organizations
- labour organizations

Information in admission policies

School board admission policies should provide the information outlined below. (See the Appendix to this memorandum for relevant excerpts from the legislation.)

Admission of students of school age

Admission policies should state that the school board is required to accommodate students aged six to twenty-one, that a student is required to attend school until the age of eighteen, and that the parents have a duty to ensure that their child attends school, unless the child is lawfully excused.

School boards may include information on the age at which children are admitted to Junior and Senior Kindergarten in order to promote the early childhood education programs and services offered at French-language schools.

Admission of "French-Language Rights Holders"

Admission policies should set out the minority-language education rights conferred by section 23 of the Canadian Charter of Rights and Freedoms, as well as the definition of a "French-language rights holder" under the Education Act. In general terms, "French-language rights holders" in Ontario are any individuals who meet *one* of the following criteria:

- any Canadian citizens whose first language learned and still understood is French
- any Canadian citizens who have received their primary school instruction in Canada in French

- any Canadian citizens of whom any child has received or is receiving primary or secondary school instruction in French in Canada

For the full legal text, see the excerpts from the Canadian Charter of Rights and Freedoms and the Education Act in the Appendix to this memorandum.

Admission policies should also state that the school board is required to admit and accommodate in its schools the child of a person who is entitled to receive instruction in French, or an adult student who is entitled to such instruction, and who lives within the board's jurisdiction.

School boards may add any other desirable and necessary information to their admission policies, taking into consideration the context and realities of their communities.

Admission by an admission committee

Board admission policies should state that the child(ren) of parents who cannot be considered holders of French-language education rights under section 23 of the Canadian Charter of Rights and Freedoms may be admitted by an admission committee composed of the school principal, a teacher, and a supervisory officer, as stipulated in section 293 of the Education Act. The committee's decision to admit the student(s) is made by a majority vote.

The decision to grant or deny admission to a French-language school through an admission committee is of immense importance to a student's development, since this decision will determine whether an individual and his or her siblings and descendants will have right-holder status. It is therefore crucial that the admission policy provide a detailed description of the procedures for submitting applications for admission, for considering the applications, and for communicating the committee's decisions.

Procedures governing the operation of admission committees are described in the next section (see pages 6-7). However, it is recommended that school boards establish procedures for dealing with the following exceptional cases, so that such applications may be processed more quickly:

- *French-speaking parents and adult students who are immigrants and who do not qualify as holders of French-language education rights under the Canadian Charter of Rights and Freedoms*
There are more and more French-speakers from around the world in French-language schools, and they are contributing to the vitality of those schools. In some cases, these students do not speak English, but are denied access to French-language schools
- *a child whose grandparents were holders of French-language education rights*
One of the objectives of section 23 of the Canadian Charter of Rights and Freedoms was to correct past wrongs. Several generations of French-speakers in Ontario or elsewhere in Canada were unable to access French-language education. In some cases, this lack of access resulted in the assimilation of French-speaking families and the loss of constitutional rights. In this context, school boards could take into consideration the right-holder status of the grandparent(s) of a child for whom an application for admission has been submitted
- *an immigrant child whose parents' mother tongue is neither French nor English (allophone)*
Given that French and English have equal status in education in Ontario, school boards could admit the child of a new Canadian whose first language is neither English nor French, and who is required by law to ensure that his or her child attends school, unless the child is lawfully excused

In order to accelerate the admission process in such cases, the admission committee could, for example, examine the application and supporting documents and decide not to hold an interview with the student and his or her family, or to do so by audioconference or videoconference instead of in person.

Operating procedures for admission committees

Given the decisive role of the admission committee and the discretionary nature of its decisions, it is important for school boards to establish operating procedures for these committees in order to ensure consistent practices in all of their schools. These procedures will govern the admission of all students who are not right-holders, unless a procedure for exceptional cases is established, as described above.

In their admission policies, school boards should set out the parameters governing submission of applications, processing of applications, and communication of the committee's decision to the applicants, as outlined below.

Submission of applications for admission

Admission policies should set out the procedure for submitting an application and the required documentation. Applications should be submitted in writing to the principal of the school to which admission is being sought, and should be submitted by the student's parent(s) or by the student if he or she is an adult. Documentation required in support of the application may include:

- proof of the student's age
- proof of the place of residence of the student or parent(s)
- the student's academic record
- the student's immunization record
- any other document that may be useful in processing the application, such as a questionnaire to collect information on the use of French at home and on languages spoken and written by the parent(s)

The policies should also set out a substitution procedure in the event that the required documentation cannot be provided. In such cases, the school board could require the parent(s) or adult student to provide a sworn or affirmed statement giving the requested information and explaining why the required documents are not available.

Processing of applications for admission

Admission policies should clearly explain how applications for admission are processed, and should include the following information:

- the criteria, including the weighting applied, used to determine whether the student may be admitted, for example:
 - the student's level of competence in French
 - the student's interest in learning French
 - the extent of the use of French and/or the presence of aspects of French culture in the family home
 - the importance that the student's parent(s) attach to the language and culture of the French-speaking community
 - the commitment of the parent(s) to support the student's academic development in French within a board and school where the language of operation and administration is French
- the purpose, content, and organization of the interview
- the timeframe within which the admission committee must process an application and issue a decision (for example, five working days between the interview and the decision might be a reasonable period)
- the admission committee's exclusive jurisdiction (that is, its discretionary decision-making authority) over whether or not to admit a student

Communication of decisions on applications for admission

Admission policies should state the following:

- for the sake of transparency, the admission committee must document its decision and ensure that the related documentation is available
- the committee may give its decision orally to the parent(s) who submitted the application for admission, but written confirmation is to follow. The notice of confirmation should set out any grounds for rejection

Some school boards may wish to establish a process for reviewing decisions. If so, it is important that the process be clearly explained in their policies should parent(s) request such a review.

Implementation of admission policies

School boards are encouraged to establish a procedure for ensuring that their admission policies are understood and implemented in every school community they serve.

Appendix: excerpts from the legislation

Relevant excerpts from the Canadian Charter of Rights and Freedoms, the French Language Services Act, and the Education Act are provided below for ease of reference.

Canadian Charter of Rights and Freedoms

23. (1) Citizens of Canada

- a) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or
- b) who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province, have the right to have their children receive primary and secondary school instruction in that language in that province.

(2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language.

(3) The right of citizens of Canada under subsections (1) and (2) to have their children receive primary and secondary school instruction in the language of the English or French linguistic minority population of a province

- a) applies wherever in the province the number of children of citizens who have such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and
- b) includes, where the number of those children so warrants, the right to have them receive that instruction in minority language educational facilities provided out of public funds.

French Language Services Act, R.S.O. 1990, Chapter F.32

Preamble

Whereas the French language is an historic and honoured language in Ontario and recognized by the Constitution as an official language in Canada; and whereas in Ontario the French language is recognized as an official language in the courts and in education; and whereas the Legislative Assembly recognizes the contribution of the cultural heritage of the French speaking population and wishes to preserve it for future generations; and whereas it is desirable to guarantee the use of the French language in institutions of the Legislature and the Government of Ontario, as provided in this Act; ...

Education Act, R.S.O. 1990, Chapter E.2

Interpretation, other general matters

1. (1)

“French-speaking person” means a child of a person who has the right under subsection 23 (1) or (2), without regard to subsection 23 (3), of the Canadian Charter of Rights and Freedoms to have his or her children receive their primary and secondary school instruction in the French language in Ontario; (“francophone”)

“French-language rights holder” means a person who has the right under subsection 23 (1) or (2), without regard to subsection 23 (3), of the Canadian Charter of Rights and Freedoms to have his or her children receive their primary and secondary school instruction in the French language in Ontario; (“titulaire des droits liés au français”)

“guardian” means a person who has lawful custody of a child, other than the parent of the child; (“tuteur”)

Powers of Minister

8. (1) The Minister may,

guidelines: role and responsibilities of board members, officials

3.4 establish policies and guidelines respecting the roles and responsibilities of board members, directors of education, supervisory officers, principals, superintendents and other officials;

Regulations

11. (1) Subject to the approval of the Lieutenant Governor in Council, the Minister may make regulations in respect of schools or classes established under this Act, or any predecessor of this Act, and with respect to all other schools supported in whole or in part by public money,

admit pupils

2. governing the admission of pupils;

Compulsory attendance

21. (1) Unless excused under this section,

- a) every person who attains the age of six years on or before the first school day in September in any year shall attend an elementary or secondary school on every school day from the first school day in September in that year until the person attains the age of 18 years; and
- b) every person who attains the age of six years after the first school day in September in any year shall attend an elementary or secondary school on every school day from the first school day in September in the next succeeding year until the last school day in June in the year in which the person attains the age of 18 years.

Resident pupil right to attend school

32.(1) A person has the right, without payment of a fee, to attend a school in a school section, separate school zone or secondary school district, as the case may be, in which the person is qualified to be a resident pupil.

Admission without fee

(2) Despite the other provisions of this Part, but subject to subsection 49 (6), where it appears to a board that a person who resides in the area of jurisdiction of the board is denied the right to attend school without the payment of a fee, the board, at its discretion, may admit the person from year to year without the payment of a fee.

Resident pupil qualification: elementary French-language public district school boards

33. (2) Subject to sections 44 and 46, a person who attains the age of six years in any year is, after September 1 in that year, qualified to be a resident pupil in respect of a school section of a French-language public district school board until the last school day in June in the year in which he or she attains the age of 21 years if,

- a) the person is a French-speaking person;
- b) the person resides in the school section; and
- c) the person's parent or guardian resides in the school section and,
 - i) is a supporter of the French-language public district school board, or
 - ii) is not in respect of that residence a supporter of any board.

Resident pupil qualification: elementary French-language separate district school boards

(4) Subject to sections 44 and 46, a person who attains the age of six years in any year is, after September 1 in that year, qualified to be a resident pupil in respect of a separate school zone of a French-language separate district school board for elementary school purposes until the last school day in June in the year in which he or she attains the age of 21 years if,

- a) the person is a French-speaking person;
- b) the person resides in the separate school zone; and
- c) the person's parent or guardian who is a French-language separate district school board supporter resides in the separate school zone.

Evidence as to right to attend

(5) It is the responsibility of the parent or guardian to submit evidence that the child has a right to attend an elementary school, including proof of age.

Resident pupil qualification: secondary French-language public district school boards

36. (2) A person is qualified to be a resident pupil in respect of a secondary school district of a French-language public district school board if,

- a) the person is a French-speaking person, the person and the person's parent or guardian reside in the secondary school district and,
 - i) the person's parent or guardian is a supporter of the French-language public district school board, or

- ii) the person's parent or guardian is not in respect of that residence a supporter of any board; (a.1) subject to any regulations made under section 43.3, the person is 16 or 17 years of age, has withdrawn from parental control, is a French-speaking person and resides in the secondary school district;
- b) the person is a French-language public district school board supporter and resides in the secondary school district and is an owner or tenant of residential property in the secondary school district that is separately assessed; or
- c) the person is a French-speaking person, is not a supporter of any board, is at least 18 years of age and resides in the secondary school district.

Resident pupil qualification: secondary French-language separate district school boards

- (4) A person is qualified to be a resident pupil in respect of a separate school zone of a French-language separate district school board for secondary school purposes if,
- i) the person and the person's parent or guardian who is a French-language separate district school board supporter reside in the separate school zone;
 - (a.1) subject to any regulations made under section 43.3, the person is 16 or 17 years of age, has withdrawn from parental control, is a French-speaking person and a Roman Catholic and resides in the separate school zone;
 - ii) the person is a French-language separate district school board supporter and resides in the separate school zone and is an owner or tenant of residential property in the zone that is separately assessed; or
 - iii) the person is a French-speaking person and a Roman Catholic, is not a supporter of any board, is at least 18 years of age and resides in the secondary school district.

Admission of pupils other than French-speaking persons where French is language of instruction

- 293.** (1) A French-language district school board, on the request of the parent of a pupil who is not a French-speaking person, or of a person who has lawful custody of a pupil who is not a French-speaking person, or of a pupil who is an adult and is not a French-speaking person, may admit the pupil to a school of the board if the admission is approved by majority vote of an admissions committee appointed by the board and composed of,
- a) the principal of the school to which admission is requested;
 - b) a teacher of the board; and
 - c) a supervisory officer employed by the board.

Same

- (2) A school authority that operates a French-language instructional unit, on the request of the parent of a pupil who is not a French-speaking person, or of a person who has lawful custody of a pupil who is not a French-speaking person, or of a pupil who is an adult and is not a French-speaking person, may admit the pupil to the French-language instructional unit if the admission is approved by majority vote of an admissions committee appointed by the school authority and composed of,
- a) the principal of the school to which admission is requested;
 - b) a teacher who uses the French language in instruction in the school; and
 - c) a French-speaking supervisory officer employed by the school authority or arranged for in accordance with subsection (3).

Where school authority has no French-speaking supervisory officer

- (3) Where a school authority does not employ a French-speaking supervisory officer, it shall arrange for a French-speaking supervisory officer employed by another board or by the Minister to serve as a member of the admissions committee.

Policy/Program Memorandum 147

Date of Issue: May 21, 2008

Effective: June 30, 2008 until revoked or modified

Subject: Applications for Letters of Permission

Application: Directors of Education
Secretary Treasurers and Supervisory Officers of School Authorities

Reference: *Ontario Regulation 142/08, Letters of Permission*

Introduction

A new regulation on Letters of Permission, made under the *Education Act*, will come into force on June 30, 2008. This regulation – *Ontario Regulation 142/08, "Letters of Permission"* – will replace *Ontario Regulation 183/97, "Letters of Permission"*. *Ontario Regulation 142/08* includes the revised requirements for school boards^[1] regarding applications for Letters of Permission.

The purpose of this memorandum is to provide boards with information on requirements for submitting an application, a description of the application process, and the application form.

Legislative authority

Section 8 of the *Education Act* provides that the Minister of Education may grant a Letter of Permission to a school board authorizing the board to employ an individual who is not a member of the Ontario College of Teachers – that is, an individual who is not a teacher – to teach in an elementary or a secondary school for a period not exceeding one year, if the Minister is satisfied that no teacher is available.

The Minister has delegated authority to grant Letters of Permission to the regional managers of the regional offices of the ministry.

Ontario Regulation 142/08 sets out the criteria governing the granting of a Letter of Permission, as well as the application requirements and process. The regulation can be found on the Ontario government website, at [ontario.ca/laws](https://www.ontario.ca/laws) (<https://www.ontario.ca/laws>).

Requirements for school boards

School boards must make every effort to hire individuals who are members of the Ontario College of Teachers for board teaching positions. Such efforts include reviewing the board list of occasional teachers for potential candidates for vacant positions.

The following requirements apply to school boards that submit applications for Letters of Permission on or after June 30, 2008.

Application process for a Letter of Permission

To request a Letter of Permission, the director of education or secretary of the board or the supervisory officer of a school authority must submit a completed Application for a Letter of Permission to the appropriate regional office of the ministry.

A school board cannot submit an application until at least the seventh day after the closing date of a competition for a teaching position.

Every application must include a signed declaration from the director of education or secretary of the board or the supervisory officer of the school authority stating that the requirements of the regulation have been met. This declaration must also include confirmation that no teacher applied for the position for which the Letter of Permission is being requested, or, if a teacher did apply, he or she did not accept the position.

Fulfilment of advertising requirements

When applying for a Letter of Permission, school boards are required to demonstrate that they have made every effort to reach the largest possible audience of teachers across the province by publicly advertising the vacant teaching position for which the Letter of Permission is being requested.

On the application form, school boards must declare that they have advertised *at least once* the position for which the Letter of Permission is being requested. This advertisement must have been made public in *one* of the following ways:

- The advertisement must have been published in a daily newspaper that has provincial circulation in Ontario (e.g., *The Globe and Mail*, *The National Post*, *Le Droit*) for at least three days, and at least one of those days must have been "within the five days before the closing date of the competition for the position".
- The advertisement must have been published on a publicly accessible website that is approved by the Minister (that is, www.educationcanada.com (<https://www.educationcanada.com/>), www.applytoeducation.com (<https://www.applytoeducation.com/>),

<http://jobsineducation.com/> (<http://jobsineducation.com/>) , or www.workopolis.com (<https://www.workopolis.com/>)) for at least ten days, and it must not have been removed before the closing date of the competition for the position.

School boards must declare that every day that the advertisement was publicly available was "within the 30 days before the closing date of the competition for the position". The advertisement must also have included the following information:

- the closing date of the competition for the position
- details of the position, including the division and the grade to be taught
- the course title and course code for secondary school credit courses
- the duration of employment

In addition, school boards must be able to provide evidence that they have complied with this requirement, if asked to do so by the ministry.

Background checks

School boards are required to confirm that they have made every effort to ensure student safety. On the application form, they must declare that they have conducted a check of the professional references of the individual they propose to hire under the Letter of Permission, and they must declare that they have collected "a personal criminal history" of this individual, as defined in *Ontario Regulation 521/01, "Collection of Personal Information"*, made under the *Education Act*.

On the application form, school boards also must declare that the individual they propose to hire meets the following requirements:

- He or she is eighteen years of age or older, and holds an Ontario Secondary School Diploma, a Secondary School Graduation Diploma, or a Secondary School Honour Graduation Diploma, or the equivalent.
- He or she is not and has never been a member of the Ontario College of Teachers.
- He or she has given the board a written statement that any teaching certificate or licence granted to him or her by another jurisdiction is not cancelled, revoked, or suspended for any reason other than for failure to pay fees or levies to the governing body.

Starting date and duration of employment

School boards must ensure that the anticipated starting date for employment in the position for which they are requesting a Letter of Permission is no later than thirty days after the closing date of the competition for the position. If a Letter of Permission is granted, it is effective as of the starting date of employment in the position.

School boards must also ensure that the duration of employment in a position for which they are requesting a Letter of Permission does not exceed the limit of one year (that is, twelve months) that is set out in the *Education Act*. Subject to this limit, the ministry may grant a Letter of Permission for a period that extends beyond the end of a school year if the course taught by the individual hired does not conform to the regular school-year calendar.

Board review of Letters of Permission

Letters of Permission are granted only when a teacher is not available, so it is important that boards regularly review their usage of Letters of Permission. School board staffing committees (or the equivalent) are requested to review and discuss at least once a year the data on Letters of Permission provided by the ministry.

Ministry contact

School board officials who have questions about the revised Letter of Permission application process should direct them to their local ministry regional office.

Letter of Permission Application Form (<http://www.edu.gov.on.ca/extra/eng/ppm/LetterofPermission.pdf>) ([PDF, 48 KB](#))

Policy/Program Memorandum 145

Date of Issue: October 17, 2018

Effective: Until revoked or modified

Subject: Progressive discipline and promoting positive student behaviour**Application:** Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Principals of Elementary Schools

Principals of Secondary Schools

Principals of Provincial and Demonstration Schools

Reference: This memorandum replaces *Policy/Program Memorandum No. 145, December 5, 2012*.**Introduction**

The purpose of this memorandum is to provide direction to school boards^[1] on their policies and guidelines concerning progressive discipline. This memorandum has been revised to reflect the recent amendments to the suspension, expulsion, and code of conduct provisions in Part XIII of the *Education Act* – amendments that came into force on October 17, 2018, with the federal legalization of recreational cannabis. In the process of revision, this memorandum has been more generally updated.

School boards must continue to establish their policies and guidelines on progressive discipline in accordance with subsection 302(2) of Part XIII of the *Education Act*.

The Ministry of Education is committed to supporting boards in building and sustaining a positive school climate that is safe, inclusive, and accepting for all students^[2] in order to support their education so that all students reach their full potential. A progressive discipline approach combines prevention and intervention strategies and discipline with opportunities for students to continue their education. All school boards across Ontario have programs for students who are on long-term suspension or who have been expelled.

Building and sustaining a positive school climate is a complex challenge requiring evidence-informed solutions. A whole-school approach involving all education and community partners is needed to bring about necessary systemic change.

Promoting and supporting positive student behaviour

The ministry acknowledges the importance of actively promoting and supporting appropriate and positive student behaviours that contribute to and sustain a safe, inclusive, and accepting learning and teaching environment in which every student can reach their full potential. Ontario's curriculum is integral to supporting students in developing positive behaviours.

A whole-school approach, which involves all members of the school community, is also important in supporting efforts to ensure that schools are safe, inclusive, and accepting. It is an effective approach to making systemic changes that will benefit all students and the broader community. Implementation of a whole-school approach needs to occur at all levels – the board, school, class, individual, family, and community. It involves the development of respectful and caring relationships between staff, between students, and between staff and students. All aspects of school life are included in a whole-school approach, such as curriculum, school climate, teaching practices, policies, and procedures. To improve the school climate, members of the school community need to share information to develop an awareness of factors that have an impact on the school climate and to provide information about the effectiveness of prevention and intervention strategies, practices, and programs in their school. A whole-school approach is also valuable in addressing such issues as racism, intolerance based on religion or disability, bullying,^[3] homophobia, and gender-based violence.

The school climate may be defined as the learning environment and relationships found within a school and school community. A positive school climate exists when all members of the school community feel safe, included, and accepted, and actively promote positive behaviours and interactions. Principles of equity and inclusive education are embedded in the learning environment to support a positive school climate and a culture of mutual respect. A positive school climate is a crucial component of the prevention of inappropriate behaviour.

Programs and activities that focus on the building of healthy relationships, a safe, inclusive, and accepting learning environment, and positive peer relations provide the foundation for an effective continuum of strategies within a school and school-related activities.

These supportive strategies and empowerment programs are the basis for creating a positive school climate.

In addition to teachers and administrators, other school staff^[4] play an important role in supporting students and contributing to a positive learning and teaching environment. "In schools where respectful interactions are encouraged and modelled, prevention is occurring at all times."^[5] A positive school climate also includes the participation of the school community, including parents,^[6] and the broader community, which can have a positive impact on the success of all students in the school.

Support for student-led activities and organizations

In accordance with subsection 303.1(1) of the *Education Act*, every board shall support students who want to establish and lead activities and organizations that promote a safe and inclusive learning environment, acceptance of and respect for others, and the creation of a positive school climate, including activities or organizations that promote gender equity; antiracism; the awareness and understanding of, and respect for, people with disabilities; or awareness and understanding of, and respect for, people of all sexual orientations and gender identities, including organizations with the name “gay-straight alliance” or another similar name.

Neither the board nor the principal^[7] shall refuse to allow a student to use the name “gay- straight alliance” or a similar name for an organization, as outlined in subsection 303.1(2) of the *Education Act*. Nothing in this section of the Education Act shall be interpreted as requiring a board to support the establishment of an activity or organization in a school unless there is at least one student who wants to establish and lead it. The name of an activity or organization must be consistent with the promotion of a positive school climate that is inclusive and accepting of all students.

Progressive discipline

Progressive discipline is a whole-school approach that utilizes a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behaviour and to build upon strategies that promote and foster positive behaviours.

When inappropriate behaviour occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive. Schools should utilize a range of interventions, supports, and consequences that are developmentally and socio-emotionally appropriate and include learning opportunities for reinforcing positive behaviour while helping students to make better choices.

In some circumstances, short-term suspension may be a useful tool. In the case of a serious student incident,^[8] long-term suspension or expulsion, which is further along the continuum of progressive discipline, may be the response that is required. Part XIII of the *Education Act* requires school boards to provide programs for students who have been expelled or who are on a long-term suspension, so that they can continue their education. For students with special education needs, interventions, supports, and consequences must be consistent with the student's strengths and needs, as well as program goals and learning expectations documented in their Individual Education Plan (IEP).

Both school boards and schools are expected to actively engage parents in the progressive discipline approach. Boards and schools should also recognize and respect the diversity^[9] of their parent communities and reach out to parents to partner with them in addressing complex and challenging issues.

A progressive discipline approach promotes positive student behaviour through strategies that include using prevention programs and early and ongoing interventions and supports, reporting serious student incidents, and responding to incidents of inappropriate and disrespectful behaviour when they occur.

Boards and schools should focus on prevention and early intervention as the key to maintaining a positive school environment in which students can learn. Early intervention strategies will help prevent unsafe or inappropriate behaviours in a school and in school-related activities. Intervention strategies should provide students with appropriate supports that address inappropriate behaviour and that would result in an improved school climate. Some examples of such strategies include ongoing communication with parents, verbal reminders, review of expectations, and/or written assignments with a learning component that require reflection.

Progressively more serious consequences should be considered for inappropriate behaviour that is repeated or for progressively more serious inappropriate behaviour, taking into account mitigating and other factors.^[10]

Ongoing interventions may be necessary to address underlying causes of inappropriate behaviour. Some examples of ongoing interventions are meeting with the parent(s), requiring the student to perform volunteer service in the school community, conflict mediation, peer mentoring, and/or a referral to counselling.

In considering the most appropriate response to address inappropriate behaviour, the following should be taken into consideration:

- the particular student and circumstances
- the nature and severity of the behaviour
- the impact on the school climate, including the impact on students or other individuals in the school community

Under the *Education Act*, principals must suspend a student for bullying and consider referring that student for expulsion if (1) the student has previously been suspended for bullying, and (2) the student's continuing presence in the school creates, in the principal's opinion, an unacceptable risk to the safety of another person. When both of these conditions are met, the principal must suspend the student and consider referring the student for an expulsion hearing.

Principals must also suspend a student, and consider referring that student for expulsion, for any incident under subsection 306(1) of the *Education Act*, including bullying, that is motivated by bias, prejudice, or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor (e.g. socio-economic status, appearance).

In Part X of the *Education Act*, clause 265(1)(m) permits a principal to "refuse to admit" to the school or to a class someone whose presence in the school would be "detrimental to the physical or mental well-being of the pupils". This provision is frequently referred to as the "exclusion provision". Exclusion is not to be used as a form of discipline. If a principal does decide that it is necessary to exclude a student from the school, the principal is expected to notify the student's parents of the exclusion as soon as possible in the circumstances, and to inform them of their right to appeal under clause 265(1)(m).

School board policies on progressive discipline

Policy development

In updating their policies and guidelines on progressive discipline, boards have the flexibility to take into account local needs and circumstances, such as geographical considerations, demographics, cultural considerations, and availability of board and community supports and resources.

Boards should draw upon evidence-informed practices that promote positive student behaviour. In revising their policies, boards must consult with students, teachers, principals, other school staff, volunteers working in the schools, parents, school councils, and the public, as outlined in subsection 302(9) of the *Education Act*. They should also consult with their Special Education Advisory Committee, their Indigenous Education Advisory Council,^[11] social service agencies, mental health agencies, and other appropriate community partners. Boards may also choose to consult with their Parent Involvement Committee. Board policies must be aligned with the requirements in *Policy/Program Memorandum No. 119, "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools", April 22, 2013*; in *Regulation 181/98, "Identification and Placement of Exceptional Pupils"*; and in the Ontario curriculum policy documents.

Board policies should also be aligned with strategies and initiatives outlined in related ministry documents, including *Caring and Safe Schools in Ontario: Supporting Students with Special Education Needs through Progressive Discipline, Kindergarten to Grade 12, 2010*; *Ontario's Equity and Inclusive Education Strategy, 2009*; *Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007*; and *English Language Learners: ESL [English as Second Language] and ELD [English Literacy Development] Programs and Services, 2007*.

Boards are required to adhere to all applicable legislation – including the *Municipal Freedom of Information and Protection of Privacy Act*, the *Ontario Human Rights Code*, the *Accessibility for Ontarians with Disabilities Act*, and the *Education Act* and regulations made under the *Education Act* – in the development and implementation of their policies. Board policies must respect all applicable collective agreements. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

School boards must require that all their schools develop and implement a school-wide progressive discipline plan. This plan must be consistent with the policies in this memorandum and with the policies and procedures of the board.

Policy components

The following components must be incorporated as part of each school board's progressive discipline policy.

1. Policy statement

Board policies on progressive discipline must include the following statements:

- the goal of the policy is to support a safe, inclusive, and accepting learning and teaching environment in which every student can reach their full potential
- all inappropriate student behaviour, including bullying, must be addressed
- responses to behaviours that are contrary to the board's code of conduct must be developmentally appropriate

- progressive discipline is an approach that makes use of a continuum of prevention programs, interventions, supports, and consequences, building upon strategies that build skills for healthy relationships and promote positive behaviours
- the range of interventions, supports, and consequences used by the board and all schools must be clear and developmentally appropriate, and must include learning opportunities for students in order to reinforce positive behaviours and help students make good choices
- information in the student's Individual Education Plan (IEP) must be considered in the determination of interventions, supports, and consequences for students with special education needs
- the board, and school administrators, must consider all mitigating and other factors, as required by the *Education Act* and as set out in *Ontario Regulation 472/07*

2. Prevention and awareness raising

In order to promote a positive school climate, school boards must provide opportunities for all members of the school community to increase their knowledge and understanding of such issues as bullying; violence; inappropriate sexual behaviour; bias, stereotyping, discrimination, prejudice, and hate; critical media literacy; and safe Internet use. Ontario's curriculum provides many opportunities for students to develop an understanding of these topics and the skills to make safe and healthy choices.

Board policies on prevention and awareness raising must include the requirements for the provision of special education programs and services for students with special education needs in a caring, safe, and inclusive environment.

As part of the monitoring and evaluation of their policies, school boards must conduct anonymous school climate surveys of students, staff, and parents at least once every two years. These surveys must include questions on bullying/harassment related to sexual orientation, gender identity, and gender expression, as well as questions on sexual harassment.

Boards are required to inform parents that these surveys are voluntary and that they can choose not to have their child participate. Boards shall not collect any name or any identifying number, symbol, or other particular assigned to a person, in accordance with subsection 169.1(2.2) of the *Education Act*. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

Boards must also require their schools to share school climate survey results with their safe and accepting schools teams and to build strategies into their school improvement plans to improve the school climate regarding issues identified through their climate surveys.

3. Responding to incidents

The purpose of responding to incidents that can have a negative impact on school climate (i.e., inappropriate and disrespectful behaviour) is to stop and correct it immediately so that the students involved can learn that it is unacceptable. "Behaviour that is not addressed becomes accepted behaviour."^[12]

Board employees who work directly with students – including administrators, teachers, and other school staff – must respond to any student behaviour that is likely to have a negative impact on the school climate. Such behaviour includes serious student incidents and all inappropriate and disrespectful behaviour at any time at school and at any school-related event if, in the employee's opinion, it is safe to respond to it, in accordance with subsection 300.4 of Part XIII of the *Education Act* and *Ontario Regulation 472/07*. Such inappropriate behaviour may involve bullying, swearing, homophobic or racial slurs, sexist comments or jokes, graffiti, or vandalism.

Responding may include asking a student to stop the inappropriate behaviour; naming the type of behaviour and explaining why it is inappropriate and/or disrespectful; and asking the student to correct the behaviour (e.g., to apologize for a hurtful comment and/or to rephrase a comment). By responding in this way, board employees immediately address inappropriate student behaviour that may have a negative impact on the school climate. When board employees are aware that an incident involves a student with special education needs, they are expected to respond in a way that takes into account information in the student's Individual Education Plan.

Ontario Regulation 472/07 specifies that board employees are not required to respond to incidents when, in their opinion, responding would cause immediate physical harm to themselves or to a student or another person. However, serious student incidents must be reported to the principal and confirmed in writing (see also section 8, "Reporting to the Principal", on pages 13–16). For other incidents, where suspension or expulsion would not be considered but board employees feel it is not safe to respond, they will be expected to inform the principal orally as soon as possible. For example, board employees would not be required to respond if it would mean putting themselves or a student in an unsafe situation.

4. Disclosure of students' personal information

Given their obligation to respond to serious student incidents and all inappropriate and disrespectful student behaviour that is likely to have a negative impact on the school climate, board employees (including occasional employees) who work directly with students may need to know, for any particular student, those behaviour(s) that may present a potential risk of physical harm to school staff or students as documented as part of progressive discipline in the student's Ontario Student Record (OSR) (see also section 8, "Reporting to the Principal", on pages 13–16). Principals are only permitted to share information documented in the OSR with board employees who do not have access to the OSR, if disclosure is necessary, so that employees can carry out their duties, including their duty to respond to inappropriate and disrespectful student behaviour. In such cases, principals may share only the necessary information pertaining to behaviour that may present risk of physical harm.

Boards must have clear policies in place for both teaching and non-teaching staff regarding the confidentiality of student information. Prior to disclosure, the principal must inform staff that they must treat any information disclosed about a student or incident as confidential.

Boards may wish to consult *A Guide to Ontario Legislation Covering the Release of Students' Personal Information, rev. 2011* by the Information and Privacy Commissioner of Ontario.^[13] This guide describes how the *Municipal Freedom of Information and Protection of Privacy Act* intersects with the *Education Act* and other statutes, including *Bill 168, Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace), 2009*, to protect privacy but also to allow access to the personal information of students. It also distinguishes between instances when personal information must be disclosed and instances when it may be disclosed.

5. Supports for students

School boards must provide supports for all students who are affected by serious student incidents and all inappropriate behaviour, and for those who engage in these types of incidents, to assist them in developing healthy relationships, making choices that support continuing their learning, and achieving success. Supports may be provided by employees of the board, through board programs and resource personnel, or through community-based service providers,^[14] including social service agencies and mental health services.

In responding to any incident, board employees who work directly with students must act in a timely, sensitive, and supportive manner. They are expected to support students – including those who disclose or report incidents and those who wish to discuss issues of healthy relationships, gender identity, and sexuality – by providing them with contact information about professional supports (e.g., public health units, community-based service providers, help phone lines).

Boards must outline in their progressive discipline policy the procedures that are in place to support students who have been harmed or students who have engaged in serious student incidents. These policies and procedures must outline what schools are required to do to support these students, including the development of specific plans to protect students who have been harmed and must outline a process for parents to follow if they are not satisfied with the supports that their children receive.

6. Notifying parents

Section 300.3 of the *Education Act* specifies when principals are required to notify the parents of students who have been harmed as the result of a serious student incident. Principals shall disclose the following information:

- the nature of the activity that resulted in harm to the student
- the nature of the harm^[15] to the student
- the steps taken to protect the student's safety, including the nature of any disciplinary measures taken in response to the activity
- the supports that will be provided for the student in response to the harm that resulted from the activity

This section of the act specifies that principals are required to notify the parents of students who have engaged in serious student incidents. Principals shall disclose the following information:

- the nature of the activity that resulted in harm to the other student
- the nature of the harm to the other student
- the nature of any disciplinary measures taken in response to the activity
- the supports that will be provided for the student in response to their engagement in the activity

When notifying parents of these incidents, the principal must invite parents to have a discussion with them about the supports that will be provided for their child.

Under subsection 300.3(3) of the *Education Act*, a principal shall not notify a parent of a student if, in the opinion of the principal, doing so would put the student at risk of harm from a parent of the student, such that notification is not in the student's best interest.

Under subsection 301(5.5) of the *Education Act*, when principals have decided not to notify the parents that their child was involved in a serious student incident, as described above, they must, in accordance with *Ontario Regulation 472/07*, document the rationale for this decision and notify both the teacher who reported the incident and the appropriate supervisory officer of this decision. Principals shall also, if they determine it is appropriate to do so, inform other board employees of this decision. In addition, principals should refer students to board resources or to a community-based service provider that can provide the appropriate type of confidential support when the students' parents are not called (e.g., counselling; a sexual assault centre; Kids Help Phone; Lesbian, Gay, Bi, Trans (LGBT) Youth Line^[16]).

In circumstances where board employees have reason to believe that a student may be in need of protection, board employees must call a children's aid society according to the requirements of the *Child, Youth and Family Services Act, 2017*.^[17]

7. School transfers related to school safety

In cases where students are being transferred to another school in order to preserve school safety, boards are required to coordinate a "transfer meeting" between the school from which the student is being transferred and the receiving school. In cases where the transfer is necessary to protect a student, it is preferable that the student who has been harmed not be moved. The purpose of the transfer meeting is to put in place a transition strategy to identify any additional supports and resources that the student may require (e.g., supports provided by school-based employees of the board, by board personnel, or through a community-based service provider, including mental health services).

The meeting must include the teachers and other school staff that will have regular direct contact with the student. The student that is being moved and their parents should also be invited to the transfer meeting. Schools must make reasonable efforts to accommodate parent participation at this meeting. The transfer meeting must occur prior to the day or on the day the student is transferred. When the meeting occurs on the day the student is transferred, it must occur before the student attends class. The receiving school must also be in possession of the student's Ontario Student Record prior to the occurrence of the transfer meeting, and the OSR must be available to be consulted at the meeting.

Boards must also have clear policies in place for both teaching and non-teaching staff regarding the confidentiality of information about the student being transferred. At a minimum, prior to the start of the transfer meeting, the principal must inform all staff in attendance that they must treat any information about the student and the incident disclosed at the meeting as confidential.

8. Reporting to the principal

The purpose of reporting serious student incidents is to ensure that the principal is aware of any activities taking place in the school for which suspension or expulsion must be considered and to help ensure a positive school climate.

Section 300.2 of Part XIII of the *Education Act* states that an employee of the board who becomes aware that a student at a school of the board may have engaged in a serious student incident shall report the matter to the principal as soon as reasonably possible. The employee must consider the safety of others and the urgency of the situation in reporting the incident, but, in any case, must report it to the principal no later than the end of the school day.

In cases where an immediate action is required, an oral report to the principal may be made. A written report must be made when it is safe to do so.

In certain situations, members of the College of Psychologists of Ontario or the Ontario College of Social Workers and Social Service Workers who are engaged in a clinical relationship with a student shall report incidents of behaviour for which suspension or expulsion must be considered to the principal as soon as it is, in their professional opinion, reasonably possible to do so without having a negative impact on the nature of the clinical relationship, in accordance with section 300.2 of Part XIII of the *Education Act*. They shall also report, in a manner that is consistent with the code of ethics and the standards of practice of their respective professions, matters that could result in the student doing physical, emotional, or psychological harm to themselves or to others.

All employee reports, including those made to the principal orally, must be confirmed in writing, using the "Safe Schools Incident Reporting Form – Part I", which appears in Appendix 2 to this memorandum. This form may be modified by boards, but must retain the elements set out in Appendix 2. Where the principal is the sole witness to an incident, the principal is similarly required to use the reporting form to confirm in writing what they witnessed. Boards must specify on this form any other activities for which a student may be suspended or expelled, according to board policy. Each report should be assigned a number for filing and retrieval purposes.

Boards are expected to provide information to board employees on completing the safe schools incident reporting forms. For example, employees who are reporting an incident must submit the “Safe Schools Incident Reporting Form – Part I” to the principal in a timely manner.

The principal must investigate all reports submitted by board employees, as outlined in subsection 300.2(3) of the *Education Act*. Once the investigation is complete, the principal must communicate the results of the investigation to the teacher who made the report. If a board employee who is not a teacher made the report, the principal will communicate the results of the investigation to that employee if the principal considers it appropriate. Communication between the principal and school staff about the investigation and the results of the investigation is a shared responsibility, and is an important factor in meeting student needs and fostering collaboration in the school.

The principal must not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation, in accordance with subsection 300.2(5) of the *Education Act*. This information must be provided in a timely manner so that school staff can work with the principal to best meet the needs of students, support a positive school climate, and help prevent future inappropriate behaviour from taking place.

In all cases, the principal must provide the employee who reported the incident with written acknowledgement, using the “Safe Schools Incident Reporting Form – Part II”, which appears in Appendix 2 to this memorandum. This form may be modified by boards, but must retain the elements set out in Appendix 2, and must specify whether the investigation has been completed or is still in progress. If no further action is taken by the principal, the principal is not required to retain the report. Information that could identify the student(s) involved must not be part of the acknowledgement.

In addition to employees of the board, third parties, specified below, who are under contract or agreement with the board are required to report such incidents in writing to the principal of the school. The requirements for boards are as follows:

- boards are required to include reporting requirements for school bus drivers in their transportation policies and contracts
- boards are required to include reporting requirements for employees and contractors as a condition in their agreements with third-party operators who are providing before- and/or after-school programs^[18] for children in Kindergarten to Grade 6, in accordance with section 28 of *Ontario Regulation 221/11*. These reporting requirements apply to employees or contractors of the operator who, in the normal course of providing the program, regularly come into direct contact with children enrolled in the third-party program

Early childhood educators and other staff providing board-operated before- and/or after-school programs, as well as employees and contractors of third-party operators as described above, must report to the principal as soon as reasonably possible. Boards are expected to provide information to these third-party operators on how to complete the “Safe Schools Incident Reporting Form – Part I”.

Boards may also put policies in place to require other individuals who are not employees of the board who come into direct contact with students on a regular basis, as outlined in subsection 302(3.1) of Part XIII of the *Education Act*, to report such matters to the principal.

Boards must also follow the direction provided in the ministry document *Provincial Model for a Local Police/School Board Protocol, 2015* with respect to incidents that require police notification and response.

If the principal has decided that action must be taken as a result of a serious student incident, they will file a copy of the reporting form with documentation indicating the action taken in the Ontario Student Record of the student whose behaviour was inappropriate.

The names of all other students that appear on the form – both students who engaged in the activity and students who have been harmed – must be removed from the form before it is filed.^[19]

Where the principal has taken action in the case of more than one student, a copy of the reporting form with documentation indicating the action taken must be filed in the OSR of each student whose behaviour was inappropriate. The names of all other students that appear on the form – both students who have engaged in the activity and students who have been harmed – must be removed from the form before it is filed.

In the case of the student who has been harmed, no information about the incident must be placed in the OSR, unless that student's parents expressly request that it be placed in the OSR.

In situations where the student who has been harmed has also engaged in a serious student incident, information regarding the incident and the action taken will be placed in the student's OSR.

The form and documentation must be kept in the OSR for a minimum of one year. If the principal has identified the incident as violent,^[20] and if the student engaged in the incident is a student of the school, the reporting form must be retained in that student's OSR for:

- one year, if the student's suspension was quashed or withdrawn and the record of suspension expunged. Documentation of any other action taken (other than suspension or expulsion) must also be retained for this period
- three years, if the student was suspended for the violent incident
- five years, if the student was expelled for the violent incident

For non-violent incidents, if no further action is taken by the principal, the principal is not required to retain the report.

9. Building partnerships

Relationships that engage the whole school community and its partners promote a positive school environment and support the progressive discipline approach. Protocols between boards and community-based service providers are effective ways to establish linkages and to formalize the relationship between them. These protocols facilitate the delivery of prevention, intervention, and response programs, the use of referral processes, and the provision of services and support for students and their parents and families.

Where such protocols already exist, they should be reviewed, and where they do not, protocols should be developed to increase the board's capacity to respond to the needs of students. These partnerships must build upon provincially developed protocols, principles, and frameworks for collaborative strategies that have been designed to support school boards in meeting the needs of their students. These partnerships must also respect collective agreements.

Boards should refer to *Policy/Program Memorandum No. 149, "Protocol for Partnerships with External Agencies for Provision of Services by Regulated Health Professionals, Regulated Social Service Professionals, and Paraprofessionals", September 25, 2009*, which sets out the requirements for the development of a local protocol between a school board and external agencies.

To facilitate the building of partnerships, every school board should:

- direct schools to work with community-based service providers, mental health agencies, or other organizations that have professional expertise in the areas of bullying, discrimination, violence, and harassment to provide appropriate support to students, parents, and teachers, and other school staff in addressing these issues
- maintain an up-to-date contact list of community-based service providers that have professional expertise in these areas, making the list available to staff, parents, and students of every school
- ensure that all publicly funded schools work in partnership with, and provide access to, public health units in order to support implementation of the Ontario curriculum together with mandated public health policies

Boards should, wherever possible, collaborate to provide coordinated prevention and intervention programs and services and, where possible, share effective practices.

10. Implementation strategy

Board policies on progressive discipline must:

- require schools to implement a school-wide progressive discipline policy that is consistent with the board's policy
- outline a range of prevention programs, interventions, supports, and consequences, including circumstances in which short-term suspension, long-term suspension, or expulsion may be the response required
- require use of the most appropriate response, as outlined in the board's or school's progressive discipline policy, to respond to a student's behaviour. For students with special education needs, the information in the student's IEP must be considered in the determination of intervention, consequences, and supports
- develop a process for building on existing partnerships and for developing new partnerships with community agencies, including local police services, to support students and their parents
- provide for ongoing dialogue with parents on student achievement and behaviour at every step of the progressive discipline continuum
- provide opportunities for students to improve the school climate through assuming leadership roles (e.g., peer mediation, mentorship)
- ensure that the board's code of conduct is aligned with its progressive discipline approach

11. Professional development strategies for administrators, teachers, and other school staff

Boards are required to establish and provide annual professional development programs to educate teachers and other school staff about the prevention of inappropriate behaviour and strategies for promoting a positive school climate, in accordance with subsection 170(1) of the *Education Act*.

Training should include opportunities for teachers to explore curriculum connections related to bullying prevention, social and emotional skills (e.g., interpersonal skills, personal-management skills), and critical and creative thinking skills to help students develop healthy relationships.

Boards must put in place a strategy on the board's progressive discipline policy for all administrators, teachers, and other school staff. The strategy must include ways of responding to serious student incidents, including inappropriate sexual behaviour.

To further support students, school boards should work with their local children's aid societies to develop and implement annual training for board staff concerning their duty to report under the *Child, Youth and Family Services Act, 2017*.

A board should make sure that members of the school community are aware of the board's policy on progressive discipline, including students, parents, school secretaries, custodians, volunteers, community-based service providers, school bus operators and drivers, early childhood educators, and employees and contractors of third-party operators of before- and/or after-school programs for children in Kindergarten to Grade 6 on the school site.

The training should address the fact that creating and sustaining a safe, inclusive, and accepting learning environment through appropriate interactions between all members of the school community is the responsibility of the whole school community.

Boards should support ongoing training for teachers, administrators, and other school staff through such opportunities as new-teacher induction programs and e-learning.

12. Communications strategy

For a progressive discipline approach to be effective, it is important that all members of the school community, including teachers, other school staff, students, and parents, understand and support the progressive discipline approach. To support a whole-school approach, boards must actively communicate policies and guidelines to all students, parents, staff members, their Special Education Advisory Committee, and school council members. Boards should also provide this information to their Indigenous Education Advisory Council, their Parent Involvement Committee, and other relevant groups. Where necessary, boards should make reasonable efforts to ensure that this information is made available to parents whose first language is a language other than English or French.

13. Monitoring and review

Boards should continue to monitor, review, and evaluate the effectiveness of board policies and guidelines, using indicators established in consultation with teachers, other school staff, students, parents, school councils, their Special Education Advisory Committee, their Indigenous Education Advisory Council, and community-based service providers. Boards may also consult with their Parent Involvement Committee. Boards will also conduct a cyclical review of their policies and guidelines in a timely manner.

In evaluating and monitoring safe school policies and programs, school boards must direct schools to address serious student incidents, as well as other inappropriate behaviour (including inappropriate sexual behaviour), in their school improvement plans.

Boards must also direct schools to evaluate the effectiveness of their safe schools policies and programs through the use of school climate surveys of students, parents, and staff, which must be undertaken every two years at a minimum.

Delegation of authority regarding discipline

The *Education Act* provides a principal with the authority to delegate – in accordance with this memorandum and any applicable board policies and guidelines – powers, duties, or functions under Part XIII, “*Behaviour, Discipline and Safety*”. Whenever possible, boards must ensure that at least one school administrator is present on school property.

Boards must have a policy in place on delegation of this authority. What may be delegated must be clearly defined in board policy.

Board policies must also outline the process for providing support and information to individuals who have been delegated authority – for example, information on which supervisory officer is available at the board.

In situations where no school administrator is present on school property, boards must include in their policies a mechanism for communicating to staff when and to whom administrative responsibilities have been delegated.

A delegation under Part XIII of the *Education Act* must be in writing and is subject to any restrictions, limitations, and conditions set out in the delegation, which, at a minimum, must be as follows.

Vice-principals

Delegation may include all authority of the principal under Part XIII of the *Education Act* except the final decision regarding a recommendation to the board to expel a student and the authority to suspend a student for six or more school days.

Teachers

Board policies and guidelines must include the following:

- the principal's authority under Part XIII of the *Education Act* may only be delegated in writing to a teacher in the absence of the principal and vice-principal, and must respect the terms of all applicable collective agreements
- teachers may be delegated the authority to initially deal with situations involving activities that occur that must be considered for suspension or expulsion. The most important consideration in these circumstances is the safety of those involved. Any initial investigation must be undertaken according to board direction. The teacher must report all details of the initial investigation to the principal as soon as possible
- the teacher must report to the principal or vice-principal any activities that must be considered for suspension or expulsion that are received from staff or others during the principal's absence. A teacher may not be delegated authority regarding suspension decisions or recommendations regarding expulsion of students
- a teacher may be delegated limited authority to contact the parents of a student who has been harmed as the result of a serious student incident and the parents of the student who has engaged in the activity. The information provided to the parents by a teacher must be limited to the nature of the harm to the student and the nature of the activity that resulted in the harm
- the teacher must not be delegated the authority to discuss the nature of any discipline measures taken in response to the activity
- if the teacher is not sure whether to call the parents, the teacher should contact the principal or supervisory officer for direction. The principal or vice-principal will follow up with the parents as soon as possible

Board-operated before- and/or after-school programs

Board policies and guidelines must include the following:

- the principal's authority under Part XIII of the *Education Act* may only be delegated in writing to early childhood educators (ECEs) working in board-operated before- and/or after-school programs and their supervisors, in the absence of the principal and vice-principal. The delegated authority is only exercised with respect to a student enrolled in a program in the school, and is only exercised during the time that the before- and/or after-school program is operated in the school. The delegation of authority must respect the terms of all applicable collective agreements
- ECEs working in board-operated before- and/or after-school programs, and their supervisors, may be delegated the authority to initially deal with situations involving activities that occur that must be considered for suspension or expulsion. The most important consideration in these circumstances is the safety of those involved. Any initial investigation must be undertaken according to board direction. The ECE or supervisor must report all details of the initial investigation to the principal as soon as possible
- the ECE or supervisor must report to the principal or vice-principal any activities that must be considered for suspension or expulsion that are received from staff or others during the principal's absence. ECEs working in board-operated before- and/or after-school programs, and their supervisors, may not be delegated authority regarding suspension decisions or recommendations regarding expulsion of students
- ECEs working in board-operated before- and/or after-school programs, and their supervisors, may be delegated limited authority to contact the parents of a student who has been harmed as the result of a serious student incident and the parents of the student who has engaged in the activity. The information provided to the parents by the ECE or supervisor must be limited to the nature of the harm to the student and the nature of the activity that resulted in the harm
- the ECE or supervisor must not be delegated the authority to discuss the nature of any disciplinary measures taken in response to the activity

- if the ECE or supervisor is not sure whether to call the parents, they should contact the principal or supervisory officer for direction. The principal or vice-principal will follow up with the parents as soon as possible

Appendix: excerpts from legislation

Education Act

Relevant excerpts from sections 306 and 310 of the *Education Act* are provided below for ease of reference.

Suspension

Activities leading to possible suspension

306. (1) A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. uttering a threat to inflict serious bodily harm on another person
2. possessing alcohol, illegal drugs or, unless the pupil is a medical cannabis user,^[21] cannabis
3. being under the influence of alcohol or, unless the pupil is a medical cannabis user, cannabis
4. swearing at a teacher or at another person in a position of authority.
5. committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school
6. bullying
7. any other activity that is an activity for which a principal may suspend a pupil under a policy of the board

Factors principal must consider

(2) In considering whether to suspend a pupil for engaging in an activity described in subsection (1), a principal shall take into account any mitigating or other factors prescribed by the regulations.

Suspension, investigation and possible expulsion

Activities leading to suspension

310. (1) A principal shall suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. possessing a weapon, including possessing a firearm
2. using a weapon to cause or to threaten bodily harm to another person
3. committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
4. committing sexual assault
5. trafficking in weapons or in illegal drugs
6. committing robbery
7. giving alcohol or cannabis to a minor

7.1 Bullying, if,

1. the pupil has previously been suspended for engaging in bullying
2. the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person

7.2 Any activity listed in subsection 306 (1) that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor.

8 Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the board that the pupil be expelled.

Ontario Regulation 472/07, "Behaviour, Discipline and Safety of Pupils" (formerly "Suspension and Expulsion of Pupils")

Relevant excerpts from *Ontario Regulation 472/07*, made under the *Education Act*, are provided below for ease of reference.

Mitigating factors

2. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following mitigating factors shall be taken into account:

1. the pupil does not have the ability to control his or her behaviour
2. the pupil does not have the ability to understand the foreseeable consequences of his or her behaviour
3. the pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person

Other factors

3. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses

311.3 (7) (b) and 311.4 (2) (b) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:

1. the pupil's history
2. whether a progressive discipline approach has been used with the pupil
3. whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment
4. how the suspension or expulsion would affect the pupil's ongoing education
5. the age of the pupil
6. in the case of a pupil for whom an individual education plan has been developed,
 - 2.1. whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan,
 - 2.2. whether appropriate individualized accommodation has been provided, and
 - 2.3. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct

Safe Schools Incident Reporting Form (<https://files.ontario.ca/edu-ppm-145-appendix-2-en-2021-11-08.pdf>) (PDF, 162 KB)

Policy/Program Memorandum 144

Date of Issue: November 25, 2021

Effective: Until revoked or modified

Subject: Bullying prevention and intervention

Application: Directors of Education
 Supervisory Officers and Secretary-Treasurers of School Authorities
 Principals of Elementary Schools
 Principals of Secondary Schools
 Principals of Provincial and Demonstration Schools

Introduction

The purpose of this memorandum is to provide direction to school boards^[1] to support the development of plans, policies and guidelines, which boards must establish to support bullying prevention and intervention in schools.

Context

Bullying prevention and intervention occurs within a broader system of actions to strengthen human rights and equity within education.

The requirements for bullying prevention and intervention intersect with other requirements for school boards, particularly Policy/Program Memorandum (PPM) No. 119 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-119>), "Developing and implementing equity and inclusive education policies in Ontario schools," PPM No. 120 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-120>), "Reporting violent incidents to the Ministry of Education," PPM No. 128 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-128>), "The provincial code of conduct and school board codes of conduct," and PPM No. 145 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-145>), "Progressive discipline and promoting positive student behaviour."

In addition to specific policy and legislative requirements, bullying prevention and intervention will intersect with other ongoing actions which may include strategies and policies that promote mental health, well-being and equity, parental ^[2] outreach and engagement and learning that takes place throughout the curriculum.

School communities are well positioned to respond to all forms of bullying, educate students on bullying prevention, promote healthy relationships, notice troubling changes in behaviour, address instances of bullying, and connect with students.

Understanding bullying and cyber-bullying

Bullying is behaviour that can be repeated or occur one time and can be carried out by an individual or group of individuals.

Bullying can occur in situations where there are real or perceived power imbalances between individuals or groups, and may be a symptom of racism, classism, homophobia, sexism, religious discrimination, ethnic discrimination or other forms of bias and discrimination. Bullying can also be based on, but not limited to, body size, appearance, abilities, or other real or perceived factors. Perceptions about differences are often based on stereotypes perpetuated in broader society.

Bullying, including cyber-bullying, may be intentional or unintentional, direct or indirect. It can take many forms including physical (for example, pushing, tripping), verbal (for example, name calling, insults, threats, sexist/racist/transphobic comments), social, also known as relational (for example, spreading rumours, intentionally excluding others, humiliating others with public gestures) and causing harm to one's property.

Taking action against bullying behaviour requires school staff to consider the root cause(s) and identify the most effective interventions.

Bullying has the potential to:

- negatively affect students' learning, attendance, safety/sense of safety, sense of self-worth and overall mental health and well-being
- create a negative environment at school or school-related activities for an individual, group or the whole school

Proactive intervention coupled with coaching and support can help all students develop the skills and understanding needed to build and maintain positive relationships.

Bullying impedes the development of a positive school climate^[3]. A whole-school approach^[4] involving all education and community members is required to prevent bullying.

Cyber-bullying

Cyber-bullying is the act of engaging in bullying behaviors through electronic means such as social media platforms, email, text or direct messaging, digital gaming and/or communication applications.

Examples of cyber-bullying may include:

- sending or sharing hateful, insulting, offensive, and/or intimidating electronic communication or images via text messages, emails, direct messages
- revealing information considered to be personal, private, and sensitive without consent
- making and/or engaging, and/or participating in fake accounts on social networking sites to impersonate, humiliate and/or exclude

others

- excluding or disrupting access to, a student on purpose from online chat groups, access to accounts and during digital gaming sessions

Increasing the use of digital platforms enhances the threat of cyber-bullying as well as other safety risks.

Bullying, including cyber-bullying, may intersect with other forms of sexual exploitation including, but not limited to, sextortion and the non-consensual sharing of intimate images. Traffickers and other sexual predators are increasingly using fake accounts to pose as acquaintances or friends of children and youth to lure, groom and recruit them into engaging in sexual acts or services. Children and youth who experience bullying are at increased risk for being sex trafficked^[5].

School board bullying prevention and intervention plan

Every school board must establish a plan for schools that integrates all the board's requirements and guidelines regarding bullying prevention and intervention into a comprehensive and achievable plan. Every board must require that all schools implement this plan^[6].

School boards must make their plan available to the public either on the school board's website, or if the board does not have a website, make their plan available in another appropriate manner. Principals are also responsible for making their school's plan available to the public.

School boards must also review their plans periodically (for example, at least once every two years) and must solicit the views of those identified below when reviewing their plan.

Developing bullying prevention and intervention plans, policies and guidelines

In developing both the plan, and policies and guidelines, the board must ensure that they are consistent with the requirements of:

- this PPM
- PPM No. 119 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-119>), "Developing and implementing equity and inclusive education policies in Ontario schools"
- PPM No. 120 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-120>), "Reporting violent incidents to the Ministry of Education"
- PPM No. 128 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-128>), "The provincial code of conduct and school board codes of conduct"
- PPM No. 145 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-145>), "Progressive discipline and promoting positive student behaviour"
- Ontario curriculum policy
- all applicable legislation,^[7] including the *Municipal Freedom of Information and Protection of Privacy Act* (<https://www.ontario.ca/laws/statute/90m56>), *Ontario Human Rights Code* (<https://www.ontario.ca/laws/statute/90h19>), *Accessibility for Ontarians with Disabilities Act* (<https://www.ontario.ca/laws/statute/05a11>), *Education Act* (<https://www.ontario.ca/laws/statute/90e02>) and regulations made under the *Education Act*

In developing both the plan, and policies and guidelines, the board must also solicit the views of students, teachers, other staff such as principals^[8], volunteers working in the schools, parents of the students, school councils and the public^[9].

It is recommended that, in developing the plan, school boards also consult with:

- their Special Education Advisory Committee
- their Indigenous Education Council
- social service agencies
- mental health agencies
- local Children's Aid Societies
- Indigenous child and family well-being agencies and other community partners as appropriate
- school boards may also choose to consult with their Parent Involvement Committee

It is recommended that, in developing policies and guidelines, school boards also:

- draw upon evidence-informed practices that promote positive student behaviour
- align with strategies and initiatives outlined in related ministry documents, including resources such as:
 - Caring and Safe Schools in Ontario
 - Ontario's Equity and Inclusive Education Strategy
 - Ontario First Nation, Métis and Inuit Education Policy Framework
 - English Language Learners: ESL (English as a Second Language) and ELD (English Literacy Development) programs and services
- consider local needs and circumstances, such as geographical considerations, demographics, language and cultural needs, equity and inclusion factors and the availability of board and community supports and resources
- consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities

School board bullying prevention and intervention components and implementation strategies

The following components must be incorporated as part of each school board's plans, policies and guidelines for bullying prevention and intervention.

1. Policy statement

School board policies must include the following statements:

- bullying adversely affects a student's well-being and ability to learn
- bullying adversely affects the school climate, including healthy relationships
- bullying, including cyber-bullying, is a serious issue and is not acceptable in the school environment (including virtual), in a school-related activity, or in any other circumstances that will have an impact on the school climate

2. The definition of bullying

For the purposes of policies on bullying prevention and intervention, school boards must use the definition of bullying (<https://www.ontario.ca/laws/statute/90e02#BK3>)^[10], given in subsection 1(1) of the *Education Act* (<https://www.ontario.ca/laws/statute/90e02>). The definition of bullying includes cyber-bullying, as such, all requirements identified under the *Education Act* and under this policy/program memorandum related to bullying also apply to cyber-bullying.

3. Engaging parents and families

Parents play a critical role in the lives of students. It is vital that all those involved in schools are confident with the measures in place to protect students from harm.

School board bullying prevention and intervention policies must include:

- a culturally relevant and accessible communication and outreach strategy taking into account linguistic, ethnocultural and accessibility considerations to help ensure parents have access to the board bullying prevention and intervention policy and plan including:
 - information on who to contact if parents have questions or concerns
 - how parents can access more information about bullying prevention and reporting
 - a clear path for parents to follow should they need to report bullying including:
 - where a parent can file a report and with whom
 - what steps will be taken following a report made by a parent
 - a process a parent can follow if they are not satisfied with the school's response

In addition, school boards must:

- establish ongoing processes to meaningfully engage parents so that they feel heard and are valued partners in their children's education

- assess how well parents understand their roles and responsibilities with respect to policies and practices related to bullying prevention, including cyber-bullying prevention
- adjust practices as necessary to address any barriers that might prevent parents from understanding their roles and responsibilities
- make every effort to provide access to appropriate board resources/publications for parents

4. Notifying parents

Following a serious incident, the principal must notify parents of the involved students, except in certain circumstances, and must invite the parents to discuss supports for their child. Refer to the requirements for notifying parents outlined in Section 6 of PPM No. 145 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-145>), "Progressive discipline and promoting positive student behaviour." Bullying, including cyber-bullying, is an instance of a serious student incident.^{[11][12]}

5. Prevention and awareness raising

School board bullying prevention and intervention policies must include a comprehensive prevention and awareness-raising strategy that includes expectations for appropriate student behaviour. This strategy will intersect with the school code of conduct and the associated requirements highlighted in PPM No. 128 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-128>), "The provincial code of conduct and school board codes of conduct."^[13]

It is recommended that school board policies also:

- include teaching strategies that support the school-wide bullying prevention policies
 - developing skills for healthy relationships by including bullying prevention strategies and highlighting equity and inclusive education principles in daily classroom instruction and school activities
- require that opportunities be made available for students and staff to learn to recognize the various forms of bullying (such as, racial bullying, or bullying based on religion) and understand the actions that can be taken by those witnessing the behaviour
- require that opportunities be made available for students and staff to participate in equity and inclusive education, bullying prevention, and leadership initiatives within their own school

6. Programs, interventions and other supports

School board bullying prevention and intervention policies must:^[14]

- include a comprehensive strategy to address incidents of bullying, including appropriate and timely responses
- require that programs, interventions, and other supports be made available for students who have been bullied, witnessed incidents of bullying, or engaged in bullying
 - may be provided by social workers, psychologists, community members (such as elders) or other professionals who have training in similar fields, as determined by the school board (such as, child and youth counsellors)
 - may be provided by school-based employees of the board, through board programs and resource personnel, or through community-based service-providers
 - should be curriculum-linked, consistent with a bias-free progressive discipline approach, and consider mitigating and other factors that influence behaviour
 - should be provided from a range of resources – from early prevention to more intensive interventions in cases of persistent bullying, with possible referral to community-based service providers
- include procedures to allow students to report bullying incidents safely and in a way that will minimize the possibility of reprisal
 - these procedures should define the responsibilities and roles of the principal, teachers, other school staff, parents and students
- as per PPM No. 145 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-145>), "Progressive discipline and promoting positive student behaviour," outline what schools are required to do to support students, including the development of specific plans to protect students who have been harmed and outline a process for parents to follow if they are not satisfied with those supports

Boards must ensure that all their employees take all allegations of bullying, including cyber-bullying, seriously and act in a timely, sensitive and supportive manner when responding to students who disclose or report bullying incidents.

Boards must ensure that all their employees who work directly with students – including administrators, teachers and other school staff – respond to any student behaviour that is likely to have a negative impact on the school climate if, in the employee’s opinion, it is safe to respond to it. Such behaviour includes bullying and all inappropriate and disrespectful behaviour that occurs at any time at school and at any school-related event, including virtual learning environments.

Boards must ensure that for students with special education needs, interventions, supports and consequences are consistent with the child’s strengths and needs, as well as with the program goals and learning expectations documented in their Individual Education Plan (IEP). Ongoing intervention and support may be necessary to promote and sustain positive student behaviour.

7. Reporting to the principal

Serious student incidents must be reported to the principal so that appropriate actions to address the incident and protect the student may be taken. Please refer to the requirements for reporting and responding to serious incidents as outlined in Section 8 of PPM No. 145 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-145>). The reporting form to be used is also in the appendix of PPM No. 145 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-145>), “Progressive discipline and promoting positive student behaviour.” Bullying, including cyber-bullying, is an instance of a serious student incident.

If an incident is violent, boards must follow the direction in the Provincial Model for a Local Police/School Board Protocol (2015) regarding notification of the police^[15].

8. Suspensions and expulsions for bullying

Boards should ensure alignment of policies related to suspensions and expulsions with *Ontario Regulation 440/20* (<https://www.ontario.ca/laws/regulation/r20440>): Suspension of Elementary School Pupils.

Junior Kindergarten to Grade 3

A regulation (<https://www.ontario.ca/laws/regulation/200440?search=43%2F07>)^[16] came into effect in 2020 to eliminate discretionary suspensions for students in junior kindergarten to grade 3. Incidents of bullying involving students from junior kindergarten to grade 3 should be addressed with the appropriate positive behaviour supports in the school setting.

Principals must suspend students in junior kindergarten to grade 3 for incidents of bullying^[17] if:

- their continuing presence in the school creates an unacceptable risk to the safety of another person
- the bullying is motivated by bias, prejudice, or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression or any other similar factor (for example, socio-economic status, appearance)

The principal may only suspend a student in junior kindergarten to grade 3 under section 310 of the *Education Act* (<https://www.ontario.ca/laws/statute/90e02>) for engaging in bullying if they have conducted an investigation respecting the allegations.

Grades 4 to 12

Under the *Education Act* (<https://www.ontario.ca/laws/statute/90e02>), principals must suspend a student between grades 4 to 12 for bullying and, after an investigation, consider referring that student for expulsion if:

- the student has previously been suspended for bullying; and the student’s continuing presence in the school creates an unacceptable risk to the safety of another person
- the bullying is motivated by bias, prejudice, or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor

9. Professional development strategies for administrators, teachers and other school staff

School boards must:

- establish and provide annual professional development programs to educate teachers and other staff about bullying prevention and strategies for promoting a positive school climate^[18]

- put in place curriculum-linked culturally responsive and relevant pedagogy training strategies on bullying prevention and intervention to provide administrators, teachers, and other school staff the resources and support they need to disrupt and dismantle systemic barriers and to address all forms of bullying

School boards may also make resources available to other adults who have significant contact with students (for example, school bus operators/drivers, volunteers). School boards should also recognize the ongoing need to support training for new teachers.

10. Communications and outreach strategies

School boards must actively communicate their policies and guidelines on bullying prevention and intervention to principals, teachers, and other school staff, students, parents, their Special Education Advisory Committee, their Indigenous Education Council, school councils and school bus operators and drivers.

School boards should also provide this information to their School Council, Parent Involvement Committee, Equity Steering Committees and other appropriate community partners. It is important that the roles and responsibilities of all members of the school community (such as, principals, teachers, other school staff, students, parents) be clearly articulated and understood.

11. Monitoring and review

School boards must monitor, review and evaluate the effectiveness of board policies and guidelines, using indicators established in consultation with teachers, other school staff, students, parents and school councils.

To support this review process, school boards must develop or enhance existing strategies and processes to track and monitor all instances of reported bullying, including cyber-bullying, to guide and inform school and board strategic planning.

At least once every two years each school board must conduct anonymous school climate surveys of students, staff, and parents. Please refer to prevention and awareness raising requirements outlined in Section 2 of PPM No. 145 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-145>), "Progressive discipline and promoting positive student behaviour."

School boards are also required to collect and analyze data on the nature of violent incidents to support the development of board policies and to inform board and school improvement plans. Please refer to PPM No. 120 (<https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-120>), "Reporting violent incidents to the Ministry of Education."

Safe and accepting schools teams

Boards must ensure that schools have in place a Safe and Accepting Schools Team responsible for fostering a safe, inclusive and accepting school climate that must be chaired by a staff member and include the principal, at least one parent, teacher, non-teaching staff member or community partner. It should also include at least one student.

The requirement for the Safe and Accepting Schools Team can be fulfilled by an existing school committee (for example, the healthy schools committee).

Policy/Program Memorandum 142

Policy/Program Memorandum No. 142

Date of Issue: December 5, 2012

Effective: Until revoked or modified

Subject: School board programs for expelled students

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Principals of Elementary Schools

Principals of Secondary Schools

Principals of Provincial and Demonstration Schools Chairs of Special Education Advisory Committees

Reference: This memorandum replaces *Policy/Program Memorandum No. 142, August 23, 2007*.

Introduction

The Ministry of Education is committed to ensuring that all students^[1] who are expelled have the opportunity to continue their education. The *Education Act* requires school boards^[2] to:

- provide at least one program for students who have been expelled from all schools of the board
- assign a student who has been expelled only from his or her school to another school of the board

The purpose of this memorandum is to provide direction to school boards regarding the development of board programs for expelled students.

With respect to programs for expelled students, research^[3] has demonstrated that positive outcomes for students are related to specific program elements that are tailored to meet the needs of each student. In accordance with this memorandum, boards must establish programs that include the following elements:

- a planning meeting to determine the specific academic and non-academic program requirements
- a Student Action Plan (SAP) that outlines goals, objectives, and learning expectations, including provision for a review of the student's progress with regard to his or her SAP
- a re-entry plan to assist with the student's transition back to school and integration in the school

In the case of students with special education needs, boards are required to provide appropriate support consistent with the student's Individual Education Plan (IEP).

It is expected that boards will actively encourage expelled students to participate in the board program for expelled students. While boards cannot compel expelled students to participate in a board program for expelled students, students who wish to return to school must satisfy the objectives required for successful completion of a program for expelled students.

The active engagement of parents^[4] and families and linkages to community-based service providers,^[5] such as agencies that provide counselling support and addiction treatment, also contribute to positive overall outcomes for students.

Resources that are dedicated to programs for expelled students may also be used to benefit students who have not been expelled but who have shown behaviours that, if unchanged, could lead to an expulsion. However, the needs of expelled students remain the priority.

General requirements

Suspension pending expulsion

A student who has been suspended pending an expulsion hearing shall be assigned to a board program for students on long-term suspension. See *Policy/Program Memorandum No. 141, "School Board Programs for Students on Long-Term Suspension", December 5, 2012.*

In accordance with *Policy/Program Memorandum No. 141*, an SAP will be developed for every student who makes a commitment to attend the board program for suspended students. The student and/or his or her parent(s) must notify the principal^[6] verbally or in writing that the student wishes to attend the program. Once the principal has received this notification, development of the SAP must begin immediately. The SAP must be implemented as soon as possible. Every effort must be made to provide an opportunity for the student to maintain his or her regular academic course work throughout the suspension period.

Boards are also expected to provide a homework package for the student until the SAP is in place.

Expulsion

A student may be expelled either from his or her school only or from all schools of the board. If a student is expelled from his or her school only, he or she must be assigned to another school of the board.

If a student is expelled from all schools of the board, he or she must be assigned to a board program for expelled students. The student and/or his or her parent(s) must notify the principal verbally or in writing that the student is committed to attending the program. Once the principal has received this notification, development of the SAP must begin immediately.

In the notice of expulsion, parents must be provided with information on either the new school or the board program to which the expelled student has been assigned.

Where an expelled student who is transferred to another school requires additional support and resources, boards should make appropriate support available and/or facilitate the student's referral to community-based service providers.

Considerations for program development

In developing programs, boards have the flexibility to take into account local needs and circumstances, such as geographical considerations, demographics, cultural needs, and availability of board and community support and resources.

Boards should draw upon evidence-informed practices that promote positive student behaviour. For example, the program should incorporate board-wide initiatives such as character development and bullying prevention.

In the development of board policies related to the creation of these programs, boards should consult with principals, teachers, and other school staff;^[7] students; parents; their Special Education Advisory Committee; and community partners, including social service agencies, mental health agencies, and members of First Nations, Métis, and Inuit communities (e.g., Elders). Boards should also consult with their Parent Involvement Committees and other relevant groups.

Boards must take into account the needs of individual students by showing sensitivity to diversity and to cultural needs in their programs for expelled students. Their programs should be in keeping with the relevant strategies and initiatives outlined in related ministry documents, including *Caring and Safe Schools in Ontario: Supporting Students with Special Education Needs through Progressive Discipline, Kindergarten to Grade 12, 2010*; *Ontario's Equity and Inclusive Education Strategy, 2009*; and *Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007*. The board programs should also be aligned with other relevant ministry strategies and initiatives, such as Student Success and character development, as well as with Ontario's mental health and addictions strategy.^[8]

Boards are required to adhere to the *Municipal Freedom of Information and Protection of Privacy Act*, the *Ontario Human Rights Code*, the *Accessibility for Ontarians with Disabilities Act*, and the *Education Act* and regulations made under the act in the development and implementation of programs. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

School board policies on program operation

School boards are required to develop policies regarding the operation of their programs for students who are suspended or expelled. These policies must deal with, but are not limited to, the following issues:

- discipline (e.g., what constitutes unacceptable behaviour and the consequences of such behaviour)
- safety (e.g., what measures will be taken to ensure a safe, inclusive, and accepting learning and teaching environment)

Boards are expected to make their policies publicly available. Boards are also expected to provide their policies directly to students and their parents before and/or upon entry to a program for suspended or expelled students. In particular, students and their parents must be informed of the discipline and safety rules and the ways in which the rules will be implemented. Boards are advised to consult their legal counsel in the development of these policies, particularly on the aspects related to discipline and safety.

Program requirements

Components of programs for expelled students

Boards are responsible for determining the content and balance of the program for each student for both the academic and non-academic components of the program. The content and balance of the program for a student will depend on the needs of the student and the nature and severity of the behaviour that led to the expulsion.

Academic component

The purpose of the academic component is to ensure that expelled students who are assigned to a board program have the opportunity to continue their education.

The academic component must follow the curriculum outlined in the Ontario curriculum policy documents, unless the student has an IEP^[9] that provides for modifications to the Ontario curriculum or an alternative program. The academic component may include, but is not

limited to, the provision of distance learning, e-learning, remedial help in literacy and numeracy, individual instruction, and/or opportunities within the board.

Elementary school students must be supported in continuing to acquire the necessary knowledge and skills outlined in the Ontario curriculum policy documents for elementary schools.

Secondary school students must be supported in continuing to earn credits towards their Ontario Secondary School Diploma through such options as credit completion and credit recovery.

Non-academic component

The purpose of the non-academic component is to assist expelled students in the development of long-term positive attitudes and behaviours by identifying and addressing the underlying causes of the behaviour that led to the expulsion.

Students may require a range of services and types of support that may include access to culturally appropriate support. The board should make appropriate support available and/or facilitate a student's referral to community-based service providers and/or provide support through other methods, such as remote access to resources (e.g., video conferencing, telepsychiatry). To meet the alternative programming requirements of a student with special education needs, the board should refer to the student's IEP.

Protocols between boards and community-based service providers should be in place to facilitate referral processes and the provision of services and support for students and their parents and families. Where such protocols already exist, they should be reviewed, and where they do not, new protocols should be developed to increase the board's capacity to respond to the needs of expelled students.

Developing and implementing the student action plan

An SAP must be developed for every expelled student who makes a commitment to attend the board program for expelled students (see page 3 under "Expulsion"). The SAP will be developed on the basis of the information gathered at a planning meeting (see below). The SAP should build on the SAP that was developed for the student while he or she was on a long-term suspension pending expulsion, if the student attended the board program for suspended students.

The SAP will be developed by the principal in cooperation with appropriate staff, the student, and his or her parent(s). It is important that parents participate in the development and implementation of the SAP on an ongoing basis. Boards should make reasonable efforts to enable parents to participate by, for example, reaching out to community members who can provide translation services for those whose first language is not English or French.

It is the responsibility of the board to coordinate the types of support required to assist the student in continuing his or her learning. For students with special education needs, boards are required to provide appropriate support consistent with the student's IEP.

The planning meeting

Once the student and/or his or her parent(s) have indicated that the student is committed to attending the program, the principal shall hold a planning meeting. The planning meeting should be a collaborative process and must include school and board staff and the student. Where possible, the student's parent(s) or other significant family member(s), as well as the student's teacher(s), should also be present at the meeting. Principals should make reasonable efforts to include parents in this meeting. If the parents cannot be present, the planning meeting should proceed nevertheless, and the principal must attempt to follow up with the parent(s) of the student as soon after the meeting as possible. In addition, where appropriate, community agency staff and any other relevant persons or professionals should also be included in the planning meeting.

The purpose of the planning meeting is to:

- identify the needs of the student and determine whether any assessment is required
- identify the student's risk factors and protective factors
- describe the types of support and services required to assist the student in achieving the goals of the academic and non-academic components (e.g., career development counselling, use of mentors from appropriate communities)

The following information should be considered during the planning meeting and should be used to develop the SAP:

- the student's history

- the student's learning experiences from any long-term suspension program that he or she may have attended
- the student's strengths
- the nature and severity of the behaviour that led to the expulsion, including any mitigating or other factors (see the Appendix to this memorandum for these factors)
- information from anyone who has provided a specialized service (e.g., a speech therapist)
- information from other sources who have helped or are expected to help the student, including culturally appropriate support persons

All relevant information on the student, including existing documentation (e.g., current assessments, the IEP), should be considered while complying with all legal and statutory requirements and privacy laws.

Development and review of the student action plan

The SAP must contain both an academic and non-academic component. For both the academic and non-academic components, the SAP must outline:

- goals, objectives, and learning expectations
- measures of success
- strategies and types of support

The SAP should be reviewed on a regular basis to determine the student's progress in meeting the stated objectives in both the academic and the non-academic components of the plan. When a student enters a program for expelled students, all parties, including the student, must be made aware of the process for determining when the student has satisfied the objectives required for successful completion of the program and is therefore eligible to be readmitted to a school of the board. The student and/or his or her parent(s) should be involved in the review of the SAP.

Information on the person who is designated by the board to be responsible for overseeing the student's readmission should also be included in the SAP.

Development of a plan for re-entry to school

A student who has been expelled from all schools of a board and/or his or her parent(s) may apply in writing to a person designated by the board requesting that the student be readmitted to a school of that board. For a student who has been expelled from only one school of a board, and where the student and/or his or her parent(s) wish that the student return to his or her original school, the student and/or his or her parent(s) may apply in writing to a person designated by the board requesting that the student be reassigned to the school.

When the student has successfully met the objectives of the program for expelled students, as outlined in the SAP, the student must be readmitted to school. The person who has provided the program must determine whether an expelled student has successfully completed a program for expelled students, or has satisfied the objectives required for successful completion of a program for expelled students.

When a student is considered ready to be readmitted to school, a re-entry plan must be developed as part of the SAP to assist with the student's transition and integration back into the school.

As part of the development of the re-entry plan, the board must hold a meeting that includes board staff, staff of the school to which the student is seeking readmission, and the student. Where possible, the student's parent(s) or other significant family member(s), as well as the student's teacher(s), should also be present. Principals should make reasonable efforts to include parents in this meeting. If the parents cannot be present, the planning meeting should proceed nevertheless, and the principal must attempt to follow up with the parent(s) of the student as soon after the meeting as possible. In addition, where appropriate, community agency staff and any other relevant persons or professionals should also be included in the meeting.

The re-entry plan should contain the following elements:

- description of the re-entry process for successful transition back to school
- identification of the types of support in both the academic and non-academic components that are needed to sustain student learning

Program delivery

Boards may enter into agreements with other boards for the provision of a program for students who are expelled from all schools of a board. Coterminous boards should, wherever possible, collaborate on providing coordinated support to expelled students and their parents. Boards may also obtain or continue to obtain services from community-based service providers in the provision of the non-academic program component. These partnerships must respect collective agreements.

Accountability and reporting requirements

Boards must meet the following requirements:

- boards must continue to collect data on expulsions and report on it to the ministry.
- boards must establish performance indicators for monitoring, reviewing, and evaluating the effectiveness of the board program. These indicators should be developed in consultation with their school community, including principals, teachers, and other school staff; students; parents; their Parent Involvement Committees; their Special Education Advisory Committee; and community partners, including social service agencies, mental health agencies, members of First Nations, Métis, and Inuit communities (e.g., Elders), and other appropriate community groups. Boards will also conduct a cyclical review of their programs in a timely manner.
- boards must collect program data and share this data with the ministry, as required. Boards will also allow monitoring visits by the ministry, as required.

Appendix: Excerpts from legislation

Ontario Regulation 472/07, "Behaviour, Discipline and Safety of Pupils" (formerly "Suspension and Expulsion of Pupils")

Relevant excerpts from *Ontario Regulation 472/07*, made under the *Education Act*, are provided below for ease of reference.

Mitigating factors

2. for the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and (2) (b) of the Act, the following mitigating factors shall be taken into account:
 - 2.1. the pupil does not have the ability to control his or her behaviour
 - 2.2. the pupil does not have the ability to understand the foreseeable consequences of his or her behaviour
 - 2.3. the pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person

Other factors

3. for the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and (2) (b) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:
 - 3.1. The pupil's history
 - 3.2. whether a progressive discipline approach has been used with the pupil
 - 3.3. whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment
 - 3.4. how the suspension or expulsion would affect the pupil's ongoing education
 - 3.5. the age of the pupil
 - 3.6. in the case of a pupil for whom an individual education plan has been developed,
 - i. whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan
 - ii. whether appropriate individualized accommodation has been provided
 - iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct

Policy/Program Memorandum 141

Date of Issue:December 5, 2012

Effective: Until revoked or modified

Subject: School board program for students on long-term suspension

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Principals of Elementary Schools

Principals of Secondary Schools

Principals of Provincial and Demonstration Schools Chairs of Special Education Advisory Committees

Reference: This memorandum replaces Policy/Program Memorandum No. 141, August 23, 2007.

Introduction

The Ministry of Education is committed to ensuring that all students^[1] who are on long-term suspension have the opportunity to continue their education. The Education Act requires school boards^[2] to offer at least one board program for suspended students. In this document, long-term suspension means a suspension of more than five school days.

The purpose of this memorandum is to provide direction to school boards regarding the development of board programs for students on long-term suspension.

With respect to programs for students on long-term suspension, research^[3] has demonstrated that positive outcomes for students are related to specific program elements that are tailored to meet the needs of each student. The active engagement of parents^[4] and families and linkages to community-based service providers,^[5] such as agencies that provide counselling support, also contribute to positive overall outcomes for students.

In the case of students with special education needs, boards are required to provide appropriate support consistent with the student's Individual Education Plan (IEP).

It is expected that boards will actively encourage suspended students to participate in the board program for suspended students. However, boards cannot compel students on long-term suspension to participate in a board program for suspended students.

Resources that are dedicated to programs for students on long-term suspension may also be used to benefit students who have not been suspended but who have shown behaviours that, if unchanged, could lead to a suspension. However, the needs of students on long-term suspension remain the priority.

General requirements

As stated above, boards must offer at least one program for students who are on long-term suspension. In the written notice of suspension, parents must be notified of the board program to which the student on long-term suspension has been assigned.

While boards are not required to provide programs for students who have been suspended for less than six days, boards are expected to provide homework packages for these students to help ensure that they do not fall behind in their school work.

Considerations for program development

In developing programs, boards have the flexibility to take into account local needs and circumstances, such as geographical considerations, demographics, cultural needs, and availability of board and community supports and resources.

Boards should draw upon evidence-informed practices that promote positive student behaviour. For example, the program should incorporate board-wide initiatives such as character development and bullying prevention.

In the development of board policies related to the creation of these programs, boards should consult with principals,^[6] teachers, and other school staff;^[7] students; parents; their Special Education Advisory Committee; and community partners, including social service agencies, mental health agencies, and members of First Nations, Métis, and Inuit communities (e.g., Elders). Boards should also consult with their Parent Involvement Committees and other relevant groups.

Boards must take into account the needs of individual students by showing sensitivity to diversity and to cultural needs in their programs for students on long-term suspension. Their programs should be in keeping with the relevant strategies and initiatives outlined in related ministry documents, including *Caring and Safe Schools in Ontario: Supporting Students with Special Education Needs through Progressive Discipline, Kindergarten to Grade 12, 2010*; *Ontario's Equity and Inclusive Education Strategy, 2009*; and *Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007*. The board programs should also be aligned with other relevant ministry strategies and initiatives, such as Student Success and character development, as well as with Ontario's mental health and addictions strategy.^[8]

Boards are required to adhere to the Municipal Freedom of Information and Protection of Privacy Act, the Ontario Human Rights Code, the Accessibility for Ontarians with Disabilities Act, and the Education Act and regulations made under the act in the development and implementation of programs. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

School board policies on program operation

School boards are required to develop policies regarding the operation of their programs for students who are suspended. These policies must deal with, but not be limited to, the following issues:

- discipline (e.g., what constitutes unacceptable behaviour and the consequences of such behaviour)
- safety (e.g., what measures will be taken to ensure a safe, inclusive, and accepting learning and teaching environment)

Boards are expected to make their policies publicly available. Board are also expected to provide their policies directly to students and their parents before and/or upon entry to a program for suspended students. In particular, students and their parents must be informed of the discipline and safety rules and the ways in which the rules will be implemented. Boards are advised to consult their legal counsel in the development of these policies, particularly on the aspects related to discipline and safety.

Program requirements

A Student Action Plan (SAP) must be developed for every student on a long-term suspension who makes a commitment to attend the board program for suspended students.

Programs for students on a suspension of six to ten school days

The program provided for in the SAP must include an academic component to support the student on a long-term suspension of six to ten school days in continuing his or her education. Boards are not required to provide a non-academic component for suspensions of this length. However, boards should consider what types of support, if any, the student may require during the suspension and upon his or her return to school. The board must also consider continuing any supports that may have been in place for the student prior to the suspension. In the case of students with special education needs, boards are required to provide appropriate support consistent with the student's IEP.

Programs for students on a suspension of eleven to twenty school days

The program provided for in the SAP will consist of both an academic and a non-academic component to support the student on a long-term suspension of eleven to twenty school days in continuing his or her education. The board must also consider continuing any types of support that may have been in place for the student prior to the suspension. In the case of students with special education needs, boards are required to provide appropriate support consistent with the student's IEP.

If a student on a long-term suspension pending an expulsion hearing is expelled, and the student makes a commitment to attend a board program for expelled students, the SAP should be carried forward into the new program.

Components of programs for students on long-term suspension

Boards are responsible for determining the content and balance of the program for each student for both the academic and non-academic components of the program. The content and balance of the program for a student will depend on the needs of the student, the length of the suspension, and the nature and severity of the behaviour that led to the suspension, including any mitigating or other factors (see the Appendix to this memorandum for these factors).

Academic component

The purpose of the academic component is to ensure that all students on a long-term suspension (more than five school days) have the opportunity to continue their education. Boards must provide students with the opportunity to continue or complete programs of study,

including assignments, homework, and any other work evaluated in their regular classes. In all cases, every effort must be made to maintain the student's regular academic course work throughout the suspension period.

The academic component must follow the curriculum outlined in the Ontario curriculum policy documents, unless the student has an IEP that provides for modifications to the Ontario curriculum or an alternative program. The academic component may include, but is not limited to, the provision of distance learning, e-learning, remedial help in literacy and numeracy, individual instruction, and/or opportunities within the board.

Elementary school students must be supported in continuing to acquire the necessary knowledge and skills outlined in the Ontario curriculum policy documents for elementary schools.

Secondary school students must be supported in continuing to earn credits towards their Ontario Secondary School Diploma.

Non-academic component

The purpose of the non-academic component is to assist students on a long-term suspension of more than ten school days in the development of positive attitudes and behaviours. Identifying and addressing the underlying causes of the student's behaviour will help reduce the risk that the student might be given a suspension or expulsion in the future.

For those students on a suspension of six to ten school days, boards should consider what types of support, if any, the student may require during the suspension and upon his or her return to school.

Students may require a range of services and types of support that may include access to culturally appropriate support. The board should make appropriate support available and/or facilitate a student's referral to community-based service providers and/or provide support through other methods, such as remote access to resources (e.g., video conferencing, telepsychiatry). To meet the alternative programming requirements of a student with special education needs, the board should refer to the student's IEP.

Protocols between boards and community-based service providers should be in place to facilitate referral processes and the provision of services and support for students and their parents and families. Where such protocols already exist, they should be reviewed, and where they do not, new protocols should be developed to increase the board's capacity to respond to the needs of students on long-term suspension.

Developing and implementing the student action plan

An SAP must be developed for every student on long-term suspension who makes a commitment to attend the board program. The SAP will outline the objectives for students and be tailored to meet the specific needs of the student.

The student and/or his or her parent(s) must notify the principal verbally or in writing that the student is committed to attending the program. Once the principal has received this notification, development of the SAP must begin immediately. The SAP must be implemented as soon as possible. It is expected that the SAP, with appropriate support, will facilitate the continuation of the student's learning during the suspension period. Every effort must be made to provide an opportunity for the student to maintain his or her regular academic course work throughout the suspension period.

The SAP will be developed by the principal in cooperation with appropriate staff, the student, and his or her parent(s). It is important that parents participate in the development and implementation of the SAP on an ongoing basis. Boards should make reasonable efforts to enable parents to participate by, for example, reaching out to community members who can provide translation services for those whose first language is not English or French.

It is the responsibility of the board to coordinate the types of support required to assist the student in continuing his or her learning. For students with special education needs, boards are required to provide appropriate support consistent with the student's IEP.

For students on a long-term suspension pending expulsion, boards are also expected to provide a homework package until the SAP is in place. As stated earlier, in the case of an expelled student who attended a program for students on long-term suspension, the student's SAP should be carried forward into the program for expelled students.

The planning meeting

Once the student and/or his or her parent(s) have indicated that the student is committed to attending the program, the principal shall hold a planning meeting. The planning meeting should be a collaborative process and must include school and board staff and the student.

Where possible, the student's parent(s) or other significant family member(s), as well as the student's teacher(s), should also be present at the meeting. Principals should make reasonable efforts to include parents in this meeting. If the parents cannot be present, the planning meeting should proceed nevertheless, and the principal must attempt to follow up with the parent(s) of the student as soon after the meeting as possible. In addition, where appropriate, community agency staff and any other relevant persons or professionals should also be included in the planning meeting.

The purpose of the planning meeting is to:

- identify the needs of the student
- identify the student's risk factors and protective factors
- clearly identify any types of support that the student may need to continue his or her learning
- establish the objectives of the SAP

The re-entry meeting

The principal shall hold a meeting with school and board staff, the student, and, where possible, the student's parent(s) before the student returns to school. The purpose of this meeting is to facilitate the student's transition back to school by, for example, identifying and providing for any additional academic and non-academic support that the student may require upon returning to school. Where appropriate, community agency staff and any other significant persons or professionals may be involved in the re-entry planning.

Program delivery

The delivery of the board program may take many forms, ranging from homework packages to attendance in a designated location at the discretion of the board.

Boards may enter into agreements with other boards for the provision of a program for students on long-term suspension. Coterminous boards should, wherever possible, collaborate on providing coordinated support to students on long-term suspension and their parents. Boards may also obtain or continue to obtain services from community-based service providers in the provision of the non-academic program component. These partnerships must respect collective agreements.

Accountability and reporting requirements

Boards must meet the following requirements:

- boards must continue to collect data on suspensions and report on it to the ministry
- boards must establish performance indicators for monitoring, reviewing, and evaluating the effectiveness of the board program. These indicators should be developed in consultation with their school community, including principals, teachers, and other school staff; students; parents; their Parent Involvement Committees; their Special Education Advisory Committee; and community partners, including social service agencies, mental health agencies, members of First Nations, Métis, and Inuit communities (e.g., Elders), and other appropriate community groups. Boards will also conduct a cyclical review of their programs in a timely manner
- boards must collect program data and share this data with the ministry, as required. Boards will also allow monitoring visits by the ministry, as required

Appendix: Excerpts from legislation

Ontario Regulation 472/07, "Behaviour, Discipline and Safety of Pupils" (formerly "Suspension and Expulsion of Pupils")

Relevant excerpts from Ontario Regulation 472/07, made under the Education Act, are provided below for ease of reference.

Mitigating factors

2. for the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and (2) (b) of the Act, the following mitigating factors shall be taken into account:
 - 2.1. the pupil does not have the ability to control his or her behaviour
 - 2.2. the pupil does not have the ability to understand the foreseeable consequences of his or her behaviour

- 2.3. the pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person

Other factors

3. for the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and (2) (b) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:
 - 3.1. the pupil's history
 - 3.2. whether a progressive discipline approach has been used with the pupil
 - 3.3. whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment
 - 3.4. how the suspension or expulsion would affect the pupil's ongoing education
 - 3.5. the age of the pupil
 - 3.6. in the case of a pupil for whom an individual education plan has been developed
 - i. whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan
 - ii. whether appropriate individualized accommodation has been provided
 - iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct

Policy/Program Memorandum 140

Date of Issue: May 17, 2007

Effective: Until revoked or modified

Subject: Incorporating methods of applied behaviour analysis (ABA) into programs for students with autism spectrum disorders (ASD)

Application: Directors of Education
 Secretary Treasurers and Supervisory Officers of School Authorities
 Director of the Provincial Schools Branch
 Superintendents of Schools
 Superintendent of Centre Jules-Léger
 Principals of Elementary Schools
 Principals of Secondary Schools
 Principals of Provincial and Demonstration Schools
 Principals of Section 68 Schools

Purpose

The purpose of this memorandum is to provide direction to school boards^[1] to support their use of applied behaviour analysis (ABA) as an effective instructional approach in the education of many students with autism spectrum disorders (ASD).^[2] This memorandum establishes a policy framework to support incorporation of ABA methods into school boards' practices. The use of ABA instructional approaches may also be effective for students with other special education needs.

This memorandum has been informed by recommendations of the Report of the Minister's Autism Spectrum Disorders Reference Group.^[3] This group was established in 2006 at the joint invitation of the Minister of Education and the Minister of Children and Youth Services to provide both ministers with advice on effective, evidence-based educational practices to meet the wide range of needs of students with ASD.

This memorandum is intended to strengthen collaborative working relationships between parents,^[4] schools, and the community. This collaboration is **essential** for supporting positive learning for students with ASD. An example of such collaboration is the development of an Individual Education Plan (IEP) for a student.

The direction provided in this memorandum builds on suggestions for successful practice provided in the Ministry of Education's documents entitled *Special Education: A Guide for Educators, 2001* and *Individual Education Plans: Standards for Development, Program Planning, and Implementation, 2000*, and is consistent with the Ontario curriculum as a basis for programs for students with ASD.

Background

This direction is also consistent with suggestions for successful practice provided in the following documents published by the Ministry of Education.

- *Special Education Transformation: The Report of the Co-Chairs With the Recommendations of the Working Table on Special Education, 2006*
- *Education for All: The Report of the Expert Panel on Literacy and Numeracy Instruction for Students With Special Education Needs, Kindergarten to Grade 6, 2005*
- *Planning Entry to School: A Resource Guide, 2005*
- *The Individual Education Plan (IEP): A Resource Guide, 2004*
- *Transition Planning: A Resource Guide, 2002*
- *The Ontario Curriculum Unit Planner: Special Education Companion, 2002*

School board staff should consult the above documents for more detailed information.

The Ministry of Children and Youth Services (MCYS) document entitled *Autism Intervention Program: Program Guidelines, 2006* provides additional information. In particular, the sections on Transition Planning and Sharing Information may provide useful information. The MCYS document entitled

A Shared Responsibility: Ontario's Policy Framework for Child and Youth Mental Health, 2006 provides additional information. Copies of these documents are available online (see page 7) or through the local MCYS office.

This memorandum is also informed by the recommendations in the *Report of the Interim Parent Involvement Advisory Board*, which was released in July 2006.

Applied behaviour analysis

Applied behaviour analysis (ABA)^[5] uses methods based on scientific principles of learning and behaviour to build useful repertoires of behaviour and reduce problematic ones. In this approach, the behaviour(s) to be changed are clearly defined and recorded. The antecedents of the undesirable behaviour(s) are analysed, as are the reinforcers that might be maintaining the undesirable behaviour(s) or that might be used to help develop adaptive behaviours.

Interventions based on behavioural principles are designed to develop appropriate behaviours. Progress is assessed and the program is altered if necessary (adapted from Perry and Condillac 2003). ABA can be used with students of every age. It can be applied in a variety of situations, and it can be used for very limited and specific purposes, such as the development or reduction of single behaviours. ABA can also be used for broader purposes, such as the development or reduction of sets of behaviour (for example, to improve relaxation skills, to teach more effective social skills, or to enhance community living skills). ABA can be used for students with ASD, and it can be used for students who have varying degrees of intensity of ASD along a learning continuum.

ABA methods can support students with ASD in a number of ways. For example, ABA methods can help a student to:

- develop positive behaviours (e.g., improve the ability to stay on task, improve social interaction)
- learn new skills (e.g., comprehensive skills, including language skills, social skills, motor skills, academic skills)
- transfer a positive behaviour or response from one situation to another (e.g., from completing assignments in a special education class to maintaining the same performance in a regular class)

ABA methods can also be used to limit the conditions under which problematic behaviours occur – for example, to modify the learning environment so that students are less likely to injure themselves.

Educators must measure an individual student's progress in the above areas by collecting and analysing data on an ongoing basis. Educators must use the data collected to determine the effectiveness of the program and to alter the program as necessary to maintain or increase a student's success. Progress should be measured in accordance with the assessment methods used in the student's program.

Requirements

1. School boards must offer students with ASD special education programs and services, including, where appropriate, special education programs using ABA methods.

Under Regulation 181/98, principals are required to ensure that an IEP is developed for each exceptional student within thirty school days of the start of the student's placement. School boards also have the discretion to develop an IEP for students who have not been formally identified as exceptional. Students with ASD have a wide range of educational needs. Principals are required to ensure that ABA methods are incorporated into the IEPs of students with ASD, where appropriate.

Principals must ensure that relevant school board personnel^[6] and community personnel^[7] who have previously worked and/or are currently working with a student with an ASD are invited to provide input and participate in the IEP process. These personnel are able to bring other perspectives and recommendations regarding special education programs and services for students with ASD. In particular, the assessment information gathered from these personnel can benefit the IEP team in planning accurate and comprehensive interventions for the student and promote a common approach to enhance student success.

ABA methods in programs for students with ASD

Given the range of needs for students with ASD, the principal must ensure that staff developing a student's IEP consider special education program and service options that will best take into account the student's individual strengths and areas of need in the demonstration of learning. The program selected must be based on relevant assessment information that identifies the student's skills and needs, instructional level, and learning style/modalities, and must incorporate relevant ABA methods, where appropriate. Use of functional behavioural assessment^[8] may also help to identify a student's strengths, needs, and learning environment.

When an alternative program is determined to be appropriate for a particular student with an ASD, it should, wherever possible, incorporate methods of ABA and be provided in conjunction with a program that includes accommodations as well as modified learning expectations as necessary. Alternative program areas for a student with an ASD could include, for example, behavioural, self-management, social, and communication skills.

When a student with an ASD requires accommodations and/or modified expectations, assessment and evaluation of student learning will be consistent with the strategies outlined in the student's IEP.

The principal must ensure that instructional modifications/strategies are uniquely suited to each student's learning strengths and needs. The ministry plans to publish a resource guide entitled *Effective Education Practices for Students With Autism Spectrum Disorders* that will provide more detailed information on strategies.^[9]

Principles of ABA programming

The following principles underlie ABA programming that is provided to students with ASD, where appropriate:

- **the program must be individualized.** Each student's specific profile and pattern of strengths and needs must be analysed to determine concrete learning objectives and teaching methods. No single curriculum or teaching strategy is appropriate for all students with ASD. Some students may require more intensive programming. Although students' programs must be individualized, the various supports may be provided to students either individually or in group situations
- **positive reinforcement must be utilized.** Positive reinforcement techniques are often helpful to motivate students with ASD
- **data must be collected and analysed.** Reliable data must be collected and analysed on an ongoing basis to measure student progress in the acquisition of new behaviours and skills, and to identify skills or behaviours that need to be taught
- **transfer, or generalization, of skills should be emphasized.** Each student should be taught to transfer skills acquired in one context to different contexts or settings. For example, a student should be encouraged to apply a newly acquired positive behaviour in a wide variety of environments, and to learn to use a wide variety of related or similar behaviours in a variety of contexts. The ultimate goal is to enable the student to develop increasing independence

2. School board staff must plan for the transition between various activities and settings involving students with ASD.

Transition planning is an important process for all students, but especially for students with ASD. Principals are required to ensure that a plan for transition is in place for students with ASD. Transitions may include: entry to school; transition between activities and settings or

classrooms; transitions between grades; moving from school to school or from an outside agency to a school; transition from elementary to secondary school; transition from secondary school to postsecondary destinations and/or the workplace.

Transition into school is of particular importance for students with ASD. Relevant ABA methods must be used to support transition, where appropriate. Students enter school from a range of settings, including the home and child-care or pre-school programs. It is essential that school board staff work with parents and community agencies to plan for a successful transition. Where a student is currently working with a community service professional, that professional should be involved with the transition process.

Monitoring and reporting of implementation

School boards are encouraged to make use of a growing body of knowledge about educational practices that are effective for students with ASD. Relevant research on ASD will be posted on the ministry's website to provide information on instructional practices for students with ASD.

School boards should develop a plan to implement the policy in this memorandum, and should consult with their Special Education Advisory Committee (SEAC) regarding the implementation. School boards should also consult their SEAC regarding the monitoring of the implementation of this memorandum, at least on an annual basis.

The ministry will integrate monitoring of implementation of this memorandum into existing reporting mechanisms. The Minister's Advisory Council on Special Education, as well as members of the Ministers' Autism Spectrum Disorders Reference Group who wish to be involved, will be consulted twice a year regarding the implementation of ABA methods by school boards.

For further information, please contact the local regional office of the Ministry of Education.

Reference cited

Perry, A., and R. Condillac. 2003. *Evidence-Based Practices for Children and Adolescents With Autism Spectrum Disorders: Review of the Literature and Practice Guide*. Toronto: Children's Mental Health Ontario.

Resources

Web links for selected Ontario government publications

Ministry of Education

Education for All: The Report of the Expert Panel on Literacy and Numeracy Instruction for Students With Special Education Needs, Kindergarten to Grade 6, 2005.

Individual Education Plans: Standards for Development, Program Planning, and Implementation, 2000.

The Individual Education Plan (IEP): A Resource Guide, 2004 (<http://www.edu.gov.on.ca/eng/general/elemsec/speced/guide/resource/index.html>) .

The Ontario Curriculum Unit Planner: Special Education Companion, 2002.

Planning Entry to School: A Resource Guide, 2005 (<http://www.edu.gov.on.ca/eng/parents/planningentry.html>) .

Special Education: A Guide for Educators, 2001.

Transition Planning: A Resource Guide, 2002.

Ministry of Children and Youth Services

Autism Intervention Program: Program Guidelines, 2006 (<https://www.ontario.ca/page/autism-ontario>) .

A Shared Responsibility: Ontario's Policy Framework for Child and Youth Mental Health, 2006 (<http://www.children.gov.on.ca/htdocs/English/specialneeds/mentalhealth/index.aspx>) .

Additional resources

Alberto, P. A., and A. C. Troutman. 2006. *Applied Behaviour Analysis for Teachers*. Upper Saddle River, NJ: Pearson Prentice Hall.

Committee on Educational Interventions for Children With Autism, National Research Council. 2001. *Educating Children With Autism*. Washington, DC: National Academy Press.

Cooper, J. O., T. E. Heron, and W. L. Heward. 2006. *Applied Behavior Analysis*. 2nd ed. Columbus, OH: Prentice Hall.

Heflin, L. J., and D. F. Alaimo. 2007. *Students With Autism Spectrum Disorders: Effective Instructional Practices*. Upper Saddle River, NJ: Pearson Prentice Hall.

Simpson, R. L. 2004. *Autism Spectrum Disorders: Interventions and Treatments for Children and Youth*. Thousand Oaks, CA: Corwin Press.

Policy/Program Memorandum 138

Date of Issue: October 5, 2017

Effective: Until revoked or modified

Subject: Daily physical activity in elementary schools, grades 1-8

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools

Introduction

The purpose of this memorandum is to ensure that all elementary school students^[1] have the opportunity to be physically active during the school day. Physical activity is essential for the healthy growth and development of children and youth. It can have a positive impact on their physical fitness and help lay the foundation for healthy, productive lives. Participating in physical activity and reducing sedentary behaviour is known to enhance well-being, which is an important element of academic achievement and overall student success. Providing elementary students with opportunities to be physically active supports two of the goals for education in Ontario – promoting well-being and achieving excellence – as outlined in *Achieving Excellence: A Renewed Vision for Education in Ontario, 2014*. Engaging students in daily physical activity also helps build a culture of physical activity in schools, which can instil the value of physical activity for life and help to improve health and learning outcomes for all children and youth.

The requirement

School boards^[2] must ensure that all elementary school students, including students with special education needs, have a minimum of twenty minutes of moderate to vigorous physical activity each school day during instructional time.

Practices for consideration

The Canadian 24-Hour Movement Guidelines, a document based on recent research, recommends that, “for optimal health benefits, children and youth (aged 5–17 years) should achieve high levels of physical activity, low levels of sedentary behaviour, and sufficient sleep each day.”^[3] These guidelines also recommend “trading indoor time for outdoor time”, and encourage children and youth to participate in a variety of physical activities, performed in various environments and contexts.

To enhance their well-being and achievement, all students should strive to achieve high levels of physical activity and limit sedentary behaviour every day. To support them in reaching this goal, educators may want to consider breaking up longer periods of sedentary time during the school day by building movement opportunities into instructional time.

Implementation

School boards are responsible for the implementation of this policy and for related training. It is the collective responsibility of principals and other education professionals to ensure that students receive at least twenty minutes of moderate to vigorous physical activity during instructional time every school day.

All activities must be adapted, as appropriate, to ensure that all students, including students with special education needs, can participate in them. Such adaptations must be consistent with the accommodations and/or modifications outlined in a student’s Individual Education Plan.

Daily physical activity may be incorporated into the instructional day in a variety of ways. For instance, integrating physical activity across various curriculum areas in individual blocks of five, ten, or fifteen minutes of moderate to vigorous activity would be an effective way of meeting the total minimum daily requirement of twenty minutes, and also of creating a culture of physical activity in the school. Twenty minutes or more of moderate to vigorous physical activity during a scheduled health and physical education class would also meet the daily physical activity requirement. Since physical activity is only one component of a comprehensive health and physical education program, there will be days when a health and physical education class does not include at least twenty minutes of moderate to vigorous physical activity. On these days and on days when no health and physical education class is scheduled, other opportunities for accumulating at least twenty minutes of moderate to vigorous physical activity during the instructional day must be provided.

Safety

As indicated in *The Ontario Curriculum, Grades 1–8: Health and Physical Education, 2015*, attention to safety, including physical and emotional safety, is an integral part of instructional planning and implementation.

The primary responsibility for ensuring safe practices rests with the school board and its employees. The principal is responsible for ensuring that all students, including students with special education needs, have the opportunity to participate in daily physical activity in a safe manner. Potential risks must be identified and procedures developed to prevent or minimize, and respond to, incidents and injuries.

As noted in the Health and Physical Education curriculum document (p. 15), "It is also critical to student success to create an atmosphere in which students of all body shapes and sizes, abilities, gender identities and sexual orientations, and ethnocultural, racial, and religious backgrounds feel accepted, comfortable, and free from harassment."

Reporting and accountability

School boards will develop and apply a process to monitor the implementation at the school level of the requirement outlined in this memorandum. School boards and principals should also take appropriate action to ensure that parents are kept informed of their children's participation in daily physical activity.

Policy/Program Memorandum 137

Date of Issue: June 27, 2005

Effective: Until revoked or modified

Subject: Use of additional teacher resources to support student success in Ontario secondary schools

Application: Directors of Education
Secretary/Treasurers of School Authorities
Principals of Secondary Schools

Reference: This memorandum revokes and supersedes section 5.1 of *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999*, and modifies section 7.2 with respect to the teacher-adviser program; revokes the section entitled "The Teacher-Adviser Program" in *Choices Into Action: Guidance and Career Education Program Policy for Ontario Elementary and Secondary Schools, 1999*; revokes Policy/Program Memorandum No. 126, "Implementation of the Teacher-Adviser Program and Use of the Term 'Co-Instructional Activities'", July 27, 2000; and revokes the section "Teacher Adviser Program" in Business Memorandum 2001: B11, July 16, 2001.

Introduction

The purpose of this memorandum is to assist school boards^[1] in allocating additional secondary school teachers to increase secondary school students success, as measured by increased credit accumulation in Grades 9 to 12, improving graduation rates (especially four-year graduation rates), and decreasing dropout rates; and to enhance support to enable secondary students who are struggling to succeed to receive more individual attention. It is the ministry's expectation that student success will be the overarching priority for board decisions on staff plans for the additional teaching positions that are being funded by the province.

The teacher-adviser program

Effective immediately, schools are no longer required to establish a teacher-adviser program, as defined in sections 5.1 and 7.2 of *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999* (OSS) and in the section entitled "The Teacher-Adviser Program"

in *Choices Into Action: Guidance and Career Education Program Policy for Ontario Elementary and Secondary Schools, 1999*. The intended purpose of the teacher-adviser program was to ensure that students receive personal attention and encouragement, and this continues to be an important goal in education programming decisions at all levels of the system. Strong student-teacher relationships are critical to student engagement, achievement, and success, particularly for students who are struggling to succeed.

It is the intention of the Ministry of Education to recommend to the government that it introduce legislative changes to the Education Act, revoke Ontario Regulation 274/01, and make the necessary amendments to the 2005-06 Grants for Student Needs – Legislative Grants Regulation to effect these changes regarding the teacher-adviser program. The goals of the teacher-adviser program are still worthwhile. If changes to the legislation are passed, it is expected that these goals will be met in the future, in part, through individual and small-group student mentoring and advocacy as alternative duties, and, in part, through the additional dedicated secondary staff for Student Success, as outlined below.

It continues to be of critical importance for all students, and particularly those who are at risk of not graduating, that boards and schools provide comprehensive and effective guidance and career education programs and support to students, as outlined in *Choices Into Action*.

Responsibilities of boards

OSS sets out the goals for, and policy and program requirements governing, secondary education in the province. These include the expectation that the secondary program will prepare students for further education and work, promote a high standard of achievement, and provide all students with the learning opportunities and support they need, including support for students at risk. As set out in section 8.2, school boards are responsible for "reviewing the allocation of resources to determine appropriate support for the implementation of the secondary school policies and programs". This memorandum provides additional information for boards to use in making such determinations with respect to the additional dedicated secondary staff for Student Success, funded by the ministry beginning in 2005-06.

The ministry recognizes that such factors as geography and demographics have an impact on decisions about how to use resources. Boards are in the best position to determine how to deploy staff funded through the current student grant structure. However, boards are expected to use the additional secondary education resources for Student Success provided by the ministry to improve student success through the following eligible uses:

- assignment of Student Success teachers who know and track the progress of students at risk of not graduating; who support school-wide efforts to improve outcomes for students struggling with the secondary curriculum; who re-engage early school leavers; who provide direct support/instruction to these students in order to improve student achievement, retention, and transitions; and who work with parents^[2] and the community to support student success. These teachers may be assigned to areas such as alternative education, cooperative education, guidance, and learning resource centres
- improved program availability for students, through the offering of more sections in the following courses/programs: locally developed compulsory credit courses, applied courses, workplace preparation courses, college preparation courses, learning strategies courses, career-related senior course packages (e.g., in building construction, hospitality), English as a second language/English Literacy Development (ESL/ELD) and l'actualisation linguistique en français/le perfectionnement du français (ALF/PDF) courses, guidance courses related to cooperative education, and alternative programs, including credit recovery (especially for Grades 9 and 10)
- distribution of additional teachers among the board's secondary schools on the basis of student needs
- appropriate teacher assignments to strengthen student success

Reporting requirements

Beginning in 2005–06, each school board will be required to report on their use of additional teaching staff and the achievement of improved student results on their Annual Student Success Action Plan and Report. These reports will be required in addition to any other reporting that will be required by the Ministry of Education through its business processes, including related financial reporting requirements associated with the new teaching resources that will be defined as part of the annual education-funding grant-regulations process and a related business memorandum.

Policy/Program Memorandum 136

Date of Issue: December 3, 2004

Effective: Until revoked or modified

Subject: Clarification of section 49.1 of the *Education Act*: education of persons unlawfully in Canada

Application: Directors of Education
Secretaries of School Authorities

Introduction

The purpose of this memorandum is to assist school boards^[1] in applying section 49.1 of the *Education Act*, which deals with education of children who are living unlawfully in Canada or whose parents^[2] are living unlawfully in Canada.

Section 49.1

Section 49.1 was added to the *Education Act* in 1993 to ensure that minor children are not denied an education because of their immigration status or that of their parents. The section reads as follows:

"A person who is otherwise entitled to be admitted to a school and who is less than eighteen years of age shall not be refused admission because the person or the person's parent or guardian is unlawfully in Canada."

Responsibilities of boards

The admission criteria that are applied to a child who is, or whose parents are, unlawfully in Canada should be no different from the criteria applied to any other child seeking admission to a school under the jurisdiction of a school board. Where the child is otherwise entitled to be admitted to a school, the fact that the child or the child's parents are unlawfully in Canada should not be a barrier to the child's admission. In other words, no children should be excluded from school merely because they or their parents are unlawfully living in Canada.

When admitting children from other countries, a board may make inquiries to determine whether a child is entitled to be admitted to school with or without the payment of a fee, and may require proof of entitlement, provided that the standard of proof is no higher than that applied to other children. Once admitted to school, students to whom section 49.1 applies would, in most cases, be designated "pupils of the board" and would therefore generate provincial grants.

Accordingly, no children should be refused admission to school solely because of their or their parents' inability to produce any of the following:

- proof of immigration status or application for legal immigration status
- a work permit or social insurance number
- health documentation that is different from that required of all other children
- other documentation not required of other children seeking admission to school

Please note, however, that for admission to a school in a French-language school board, proof of Canadian citizenship may be required.

Citizenship and Immigration Canada (CIC) has confirmed that there is no federal legal requirement for boards to refer families without immigration status or documentation to a local CIC office to obtain documents before their child is admitted to school.

The following is an example of a situation that a board might encounter:

"A family arrived in Canada as temporary residents in the visitor class, and has stayed in Canada beyond the period allowed on the visitor record or passport (usually six months from the date of arrival in Canada) without renewing the documentation. The family's visitor status has been lost, and under the *Immigration and Refugee Protection Act* (Canada), this family can now be considered to be living unlawfully in Canada. The parents now intend to stay in

Canada, have established a residence in the jurisdiction of an Ontario school board, and have approached the board about registering their two children, aged eight and ten, at the local school."

In this example, section 49.1 would apply, and the children, who are of school age and are resident in the board's jurisdiction, should be admitted to a school, provided that there is no valid reason for refusing admittance.

Reasons for refusal of admission to school

There are many reasons under the *Education Act* why a child may not qualify to be admitted to school. However, the legislation applies equally to all children regardless of immigration status.

Compliance with protection of privacy legislation

School boards are reminded that, when they collect personal information from an individual, they must give the individual notice of the collection, as required by the *Municipal Freedom of Information and Protection of Privacy Act*. That act sets out specific rules for the collection, use, and disclosure of personal information. In addition, parents should be told about the confidential manner in which the information will be kept. Any information kept in the Ontario Student Record (OSR) is also governed by the *Education Act*, which clearly sets out who may have access to a student's records.

Legal advice

Boards are encouraged to consult their own legal counsel for advice on the application of section 49.1 in individual situations and for interpretation of other relevant sections of the *Education Act* and of other legislation.

Policy/Program Memorandum 132

Date of Issue: July 28, 2023

Effective: September 1, 2023

Subject: Prior Learning Assessment and Recognition for Mature Students – Revised Mandatory Requirements

Application: Directors of Education
 Secretaries of School Authorities
 Principals of Secondary Schools
 Principals of Continuing Education
 Principals of Provincial and Demonstration Schools
 Principals of Inspected Private Schools
 Principals of Inspected First Nation/Federally-Operated Schools
 Principal of the Independent Learning Centre (ILC)

Introduction

Mature students typically complete their secondary education with specific goals and timelines in order to support their future career and education endeavors. It is important that mature students are supported to expeditiously achieve their Ontario Secondary School Diploma (OSSD) and efficiently move to sustainable employment, postsecondary education and/or apprenticeship. Prior Learning Assessment and Recognition (PLAR) for Mature Students provides a process by which the prior experiences of adult learners, both formal and informal, can be recognized for secondary credit, minimizing duplication of learning, saving the learner time and opportunity costs, and providing them with an enhanced pathway to high school graduation.

Purpose and definitions

This memorandum provides direction to boards^[1] concerning the mandatory requirements of Ontario Schools, Kindergarten to Grade 12: Policy and Program Requirements (2016) ([https://www.ontario.ca/page/overview-policy-and-program-requirements-ontario-](https://www.ontario.ca/page/overview-policy-and-program-requirements-ontario)

schools) (Ontario Schools), Prior Learning Assessment and Recognition (PLAR) for Mature Students who are enrolled in Ontario schools, including:

- secondary schools
- continuing education
- provincial schools
- demonstration schools
- Centre Jules-Léger
- TVO's Independent Learning Centre (ILC)

Inspected private schools and Inspected First Nation or federally-operated schools may also choose to implement this policy.

Beginning on February 1, 2022 the newly revised mandatory PLAR requirements set out in this memorandum will come into effect, and will apply to mature students as defined as:

- a mature student is a student who is at least 18 years of age on or after January 1 of the current school year and who is enrolled in a program for the purpose of obtaining an Ontario Secondary School Diploma (OSSD)

School boards must also ensure that the following groups of mature students are also granted equivalent credits (see Appendix 1) for:

- An OSSD under Ontario Schools, Intermediate and Senior Divisions (Grades 7-12/OACs): Program and Diploma Requirements, 1989 (OSIS) (<https://www.ontario.ca/page/overview-policy-and-program-requirements-ontario-schools>) for students who entered the Ontario secondary school system in Grade 9 before September 1, 1999.
- A Secondary School Graduation Diploma (SSGD) under *Circular H.S. 1, (1979-81)* (<https://www.ontario.ca/page/overview-policy-and-program-requirements-ontario-schools>) for students who entered the Ontario secondary school system in Grade 9 before September 1, 1984.

Principals are responsible for determining when the mature student was previously enrolled in the Ontario secondary school system on the basis of evidence (for example, the Ontario Student Transcript (OST), and/or the Ontario Provincial Report Card, Grades 9–12).

Mature students under OSIS or Circular H.S. 1, may choose to have their prior learning assessed either under OSIS or Circular H.S. 1, or through the PLAR process leading to an OSSD outlined in this memorandum.

This memorandum supersedes PLAR for Mature Students currently described under Ontario Schools.

The prior learning assessment and recognition (PLAR) for mature students process

Prior Learning Assessment and Recognition (PLAR) for mature students is the formal evaluation and credit-granting process whereby mature students may obtain credits for prior learning. Prior learning includes the knowledge and skills that students have acquired, in both formal and informal ways, outside secondary school. Students may have their knowledge and skills evaluated against the expectations outlined in provincial curriculum in order to earn credits towards the OSSD.

All credits granted through the PLAR process must represent the same standards of achievement as credits granted to students who have taken the courses.

After a review of the students' existing documentation and evidence of prior learning, principals will determine the number of credits, including compulsory credits, that a mature student needs in order to meet diploma requirements, and determine how the PLAR process can best be applied.

The PLAR process for mature students involves two components: "equivalency" and "challenge".

Grade 9 and 10 credits

For Grade 9 or 10 credits the equivalency process is as follows:

- students participate in individual assessment consisting of four subject based assessments, as needed, for the purpose of granting Grade 9 or 10 credits

- up to 16 Grade 9 and 10 credits may be granted through the Grade 9 or 10 equivalency process at the discretion of the principal following individual assessment

There is no challenge process for Grade 9 and 10 credits.

Grade 11 and 12 credits

For Grade 11 or 12 credits both the equivalency process and the challenge process are as follows:

- through the equivalency process, students participate in an evaluation of their credentials, other appropriate documentation and evidence from jurisdictions within and outside Ontario for the purpose of granting credit for Grade 11 or 12 courses developed from the most recent Ontario curriculum
- through the challenge process, students' prior learning is evaluated using assessments for the purpose of granting credit for Grade 11 or 12 courses developed from the most recent Ontario curriculum
- up to 10 of 14 Grade 11 and 12 credits may be granted through either the equivalency or challenge process.
- a minimum of four Grade 11 and 12 credits must be earned by taking the necessary courses, with the following exception:
 - at the discretion of the principal, mature students who present evidence of a completed postsecondary diploma and/or degree from an accredited Canadian postsecondary institution, as well as those with an Ontario Certificate of Apprenticeship and/or Qualification (see Appendix 3) may be granted up to 30 credits for the OSSD under Ontario Schools.

Following the equivalency or challenge process, any remaining required credits may be earned by taking the required courses.

Mature students who have previously accumulated 26 or more credits towards the diploma (excluding those with postsecondary credentials as noted above) must successfully complete the required number of courses to bring their total number of credits up to 30 before they will be eligible to receive the OSSD.

Responsibilities of boards

School boards will not charge mature students fees for undergoing the challenge or equivalency process. Ontario Regulation 285: Continuing Education under the *Education Act* (<https://www.ontario.ca/laws/statute/90e02>) does not permit publicly funded school boards to charge fees for the PLAR process.

All boards must offer access to the PLAR process to all mature students.

All boards must develop and implement policies and procedures related to the equivalency and challenge processes that are consistent with this memorandum. Boards must also ensure that a clear statement is published in the school program and course calendars outlining when:

- mature students may undergo individual assessment for the purpose of obtaining Grade 9 and 10 credits
- mature students may present education and training credentials and/or other appropriate documentation for assessment through the equivalency process for the purpose of obtaining Grade 11 and 12 credits
- mature students may challenge for their prior learning to be evaluated and assessed for the purpose of granting credit for Grade 11 and 12 courses, including what opportunities for challenge are available at schools under the jurisdiction of the board or through partnership with another school board

Boards will determine the time frame for the completion of the four individual assessments for the specific Grade 9 and 10 courses required by students and of the challenge and equivalency processes for the specific Grade 11 and 12 courses required by students.

It should be noted that a board is not required to provide opportunities for mature students to challenge for credit those courses that are not actually taught in schools operated by the board. Boards are encouraged to make arrangements with other boards to provide opportunities for eligible students to challenge for credit for courses that are not offered by the board, as needed.

For consistency across the province, boards must use the forms provided under required forms in Appendix 2 to this memorandum for recording results of the equivalency and challenge processes (see record keeping in this memorandum). Boards may adapt the required and/or sample forms provided in Appendix 2. However, any adaptations by boards, must include, at a minimum, the information required by the aforementioned forms in Appendix 2.

Boards will report to the ministry in the October board reports the types of equivalency and challenges provided to mature students. Boards will also report the types of PLAR assessments delivered during the school year (such as, estimates, revised estimates, and financial statements). Boards will report the following:

- the number of mature students who received an individual assessment as part of the equivalency process for up to 16 Grade 9 and 10 credits during the school year (one assessment per mature student per fiscal year only)
- the number of mature students who received an evaluation of their credentials as part of the equivalency process for up to 10 Grade 11 and 12 credits during the school year (one assessment per mature student per fiscal year only)
- the number of completed challenges for prior learning evaluated for credit for Grade 11 and 12 courses (up to 10 courses per student, or the equivalent in half-credit courses), whether successfully or unsuccessfully completed

Responsibilities of principals

PLAR procedures for mature students will be carried out under the direction of the school principal^[2], who has the authority to grant credits. The principal is responsible for the implementation of PLAR in accordance with this memorandum.

Principals will ensure that mature students who do not have appropriate documentation of prior learning owing to extraordinary circumstances (for example, students who are refugees) will receive advice and/or referral to an appropriate service provider concerning the gathering and giving of evidence.

Policies governing the equivalency process

Grade 9 and 10 credits

The principal will:

- ensure that every mature student is informed about the policies and procedures related to the individual assessment through the equivalency process for mature students, including policies on and procedures for recording results in the Ontario Student Record (OSR) and on the Ontario Student Transcript (OST)
- determine the number of credits a student needs, up to 16 Grade 9 and 10 credits, based on the review of transcripts indicating successful completion of up two years of secondary school that are comparable to Ontario Grade 9 and 10
- determine the number of Grade 9 and 10 credits to be granted following an individual assessment through the equivalency process

As stated previously, a maximum of 16 Grade 9 and 10 credits may be granted to a mature student at the discretion of the principal following an individual assessment.

Each mature student who does not have transcripts indicating successful completion of the first two years of secondary school in the Ontario education system – or equivalent – will be required to successfully complete up to four individual assessments before being granted any Grade 9 and 10 credits. This will consist of assessments in English, mathematics, science, and Canadian history and Canadian geography combined.

The principal may grant a maximum of four Grade 9 and 10 credits for demonstrated achievement in each of the subject based assessments (one of which covers two subject areas – Canadian history and Canadian geography combined). Students can earn up to four credits for each of the subject based assessments. If the principal grants fewer than four credits for any of these subject based assessments, the principal will determine how the student will obtain the remaining credits.

Each mature student who has evidence of partial completion of the first two years of secondary school in the Ontario education system – or equivalent – will be required to successfully complete an individual assessment in the outstanding subject areas (such as, English, mathematics, science, and/or Canadian history and Canadian geography combined) in order to earn the credits required to bring the total up to 16 Grade 9 and 10 credits.

The principal may grant, at their discretion, the Ontario Secondary School Certificate (OSSC) to a mature student following an individual assessment, if the student, in the principal's judgement, has met the requirements for the OSSC, as specified in Ontario Schools regarding the Ontario Secondary School Certificate.

Grade 11 and 12 credits

The principal will:

- ensure that mature students are informed about policies and procedures related to the evaluation of credentials through the equivalency process for mature students, including policies on and procedures for recording results in the OSR and on the OST
- ensure that every mature student is provided with an application form for the equivalency process for mature students (see the sample form in Appendix 2 to this memorandum), as well as materials that indicate what is expected in the Grade 11 and 12 courses (such as the curriculum expectations) for which the student wishes to be granted credits
- evaluate each application in consultation with the student and appropriate school staff (for example, subject teachers) to determine whether the student should begin the equivalency process
- determine whether there is a direct relationship between the credentials and/or other appropriate documentation presented by the student and the curriculum expectations for a specific Grade 11 or 12 course in the most recent Ontario curriculum
- determine whether equivalency should be granted

The following types of credentials and other documentation may be accepted for the purpose of determining whether to grant Grade 11 and 12 credits through the equivalency process:

- formal transcripts granted by an accredited educational or training institution or a government ministry or body (for example, a secondary school, a provincial college of applied arts and technology, a university, a training delivery agent a ministry of education or training, the military)
- other appropriate documentation of learning gained from other programs, courses, or work and volunteer service as well as life experience such as parenting

Policies governing the challenge process

Grade 11 and 12 credits

The principal will:

- ensure that mature students are informed about the challenge process, and that they are responsible for initiating the challenge process for the purpose of obtaining Grade 11 and 12 credits, and for satisfying all of the requirements
- ensure that every mature student is informed about policies and procedures related to challenging for credit, including policies on and procedures for recording results in the OSR and on the OST (see under “record keeping” in this memorandum)
- ensure that every mature student is provided with an application form (see Appendix 2 to this memorandum), as well as materials that indicate what is expected in the Grade 11 and 12 courses (such as, the curriculum expectations) for which the student wishes to challenge for credit
- evaluate each application in consultation with the student and appropriate school staff (for example, subject teachers) to determine whether reasonable evidence for success exists and whether the challenge should occur
- determine whether the student should challenge for credit for a specific full or half-credit course
- develop formal examinations and other assessment strategies to conduct the challenge
- conduct the challenge (such as, the use of formal examinations and of other appropriate assessment strategies)
- evaluate and report on the student's performance, including awarding the appropriate credits and percentage grade to the OST

Principals must ensure that only teachers certified by the Ontario College of Teachers (<https://www.oct.ca/>) conduct the PLAR challenge process.

The challenge process is an evaluation process. It may not be used as a way for students to improve their mark in a course for which they have already earned a credit.

Mature students may challenge for credit a maximum of 10 Grade 11 and 12 courses in provincial curriculum. However, they may obtain no more than 10 Grade 11 and 12 credits through the challenge and equivalency processes combined. There is no maximum on the number of credits that may be obtained in any one discipline.^[3]

For those mature students who present evidence of a completed postsecondary diploma and/or degree from an accredited Canadian postsecondary institution, including an Ontario Certificate of Apprenticeship and/or Qualification, they may obtain 14 Grade 11 and 12 credits through the challenge and equivalency processes combined.

Mature students may challenge for credit for a course only if they can provide reasonable evidence to the principal that they would be likely to be successful in the challenge process, in accordance with criteria established in this memorandum, and with policies and procedures established by the board. In cases where a mature student disagrees with the decision of the principal about whether the student should challenge for credit, the mature student may ask the appropriate supervisory officer to review the matter.

Students with music certificates that are accepted for credits in Ontario Schools, Music Certificates Accepted for Credits, are not required to challenge for credit for the appropriate music courses but are granted credits in accordance with Ontario Schools.

Credit will be granted only for the specific course for which the student has successfully challenged for credit.

A student cannot be granted credits through the challenge process for any of the following courses:

- a course for which the student has already earned a credit but for which they wish to improve the mark
- a course in any subject if a credit has already been granted in a later grade
- a course for which there is significant overlap with a course for which credit has been granted
- a transfer course
- a locally developed course
- a cooperative education course
- a course in English as a second language (ESL), English literacy development (ELD), or Anglais pour débutants (APD), if the student has one or more credits in English from the curriculum for English for Grades 9 to 12 (such as, the documents for English-language schools or the documents for French-language schools) or from the curriculum guidelines
- a course in Programme d'appui aux nouveaux arrivants (PANA), Actualisation linguistique en français (ALF) or French as a Second Language (FSL), if the student has one or more credits in Français from the curriculum for Grades 9 to 12
- the Ontario Secondary School Literacy Course

A student will be permitted to challenge for credit for a specific course a second time after a reasonable interval, if the student can provide reasonable evidence to the principal that they are likely to be successful after having benefited from additional study.

Assessment and evaluation for the challenge process

Assessment and evaluation through the PLAR process will be based on the curriculum expectations and the achievement charts in the Ontario curriculum. Assessment and evaluation must be based on all the strands in a course and on all categories of knowledge and skills and the descriptions of achievement levels given in the achievement chart that appears in the curriculum for the discipline. A student's level of achievement will be recorded as a percentage grade on the OST in the same way as achievement in other courses (see "record keeping").

Assessment and evaluation strategies for the challenge process must include formal examination (70% of the final mark) and a variety of other assessment strategies appropriate for the particular course (30% of the final mark). The formal examination must have a balance between written work and practical demonstration that is appropriate for the subject/discipline. Other assessment strategies may include evaluation of written assignments, demonstrations/performances, laboratory work, quizzes, and observation of student work. The principal is responsible for developing and administering the formal examination and for determining which assessment strategies are most appropriate for each course for which a student is challenging for credit.

Diploma requirements for mature students

OSSD under Ontario Schools diploma requirements

If a mature student who is working towards the OSSD under Ontario Schools has not already successfully completed each of the four Grade 11 and 12 compulsory credit requirements, a mature student must obtain a credit that meets the compulsory credit requirement(s) under Ontario Schools in each of the following:

- English, Grade 11 – only the following substitution is permitted:
 - students may count a maximum of three credits in ESL or ELD towards the four compulsory credits in English
 - the fourth credit must be for a Grade 12 compulsory English course
- English, Grade 12 - no substitution is permitted

- Mathematics, Grade 11 or 12 - no substitution is permitted
- Computer Studies, Science, Technological Education, or Math, Grade 11 or 12

The secondary school literacy graduation requirement

As per Ontario Schools, all students are required to meet the secondary school literacy graduation requirement in order to earn an OSSD.

Mature students should be encouraged to meet the literacy graduation requirement by successfully completing the Ontario Secondary School Literacy Test (OSSLT). Mature students also have the option to enrol directly in the Ontario Secondary School Literacy Course (OSSLC) without attempting the OSSLT.

Community involvement requirement

Principals will determine, at their discretion, the number of hours of community involvement activities that a mature student who is working towards the OSSD under Ontario Schools may have to complete (between 0 and 40).

OSSD under OSIS diploma requirements

Principals will continue to determine which compulsory credit requirements (if any) must be completed by a mature student to earn the OSSD under OSIS diploma requirements. The principal will refer to OSIS, 6.14 Equivalent Standing for Mature Students, at their discretion (see Appendix 1).

Secondary school graduation diploma requirements (SSGD)

A mature student who entered an Ontario secondary school program before September 1, 1984, may continue to work towards the SSGD. The process for assessing equivalent credit allowances and granting credits that is described in OSIS will apply to mature students working towards the SSGD (see Appendix 1).

Considerations

Mature students, particularly those with significant gaps in their education may require many types of support. The effective implementation of PLAR for mature students requires several important considerations:

- access
- standardization of process
- literacy and language acquisition
- PLAR preparation and support

Access

As noted in Responsibilities of Boards within this memorandum, all boards must develop and implement policies and procedures related to the equivalency and challenge processes that are consistent with this memorandum. Boards must also ensure that a clear statement is published in school program and course calendars through both online and paper formats.

Where individual boards do not have critical student numbers to make the delivery of PLAR feasible, the board may partner with a co-terminus or other school board(s) in the region to offer PLAR to their mature students.

Requirements concerning the application of these procedures differ for mature students depending on a student's age and their broader life experience. Recognizing these differences, younger adults may benefit primarily from participating in the Grade 9 and 10 equivalency process – rather than be required to take courses in a non-age appropriate setting. Conversely, older adults may bring a wealth of experience, both formal and informal, which enables more opportunity to earn credit through both the Grade 9 and 10 and the Grade 11 and 12 equivalency processes.

Relevant and culturally appropriate assessment tools and processes should be used to take into account the unique perspectives of First Nation, Métis and Inuit students, as well as the unique cultural perspectives of racialized students and newcomers to Ontario. Boards are also required to provide appropriate accommodations and supports as required by Ontario's *Human Rights Code* (<https://www.ontario.ca/laws/statute/90h19>). For further information, boards may wish to consult with their own legal counsel and review the

Ontario Human Right's Commission's Policy on accessible education for students with disabilities (<http://www.ohrc.on.ca/en/policy-accessible-education-students-disabilities>) .

Standardization of process

Established board policies and procedures allow for a standardized process that ensures equity of access for mature students. Boards and principals, where possible should provide professional development to all teaching and educational support staff regarding the PLAR for mature students process, and its role in the secondary program.

Principals, upon determining PLAR eligibility will:

- review the OST to determine if individual assessments through the equivalency process are required for Grade 9 and 10 credits to bring a student's credit count to 16
- develop a plan to complete any outstanding Grade 9 and 10 individual assessments as well as opportunities for support and preparation
- complete Grade 9 and 10 individual assessments as necessary and assign credit
- advise mature students on the creation of a portfolio of relevant work experience, learning, training and other accomplishments to submit for evaluation of credentials through the equivalency process for Grade 11 and 12 credits
- review and assign equivalent Grade 11 and 12 credits as appropriate,
- provide advice to mature students on outstanding credits required to obtain the OSSD, such as compulsory credits, electives and/or post-secondary pre-requisites based on the student's chosen pathway

The Ministry of Education also provides support to the Ontario Association of Adult and Continuing Education School Board Administrators (CESBA) to provide training and mentorship opportunities, as well as an open repository of PLAR support documents, training videos, equivalent credit/industry mapping tools and other related resources. More information may be found on the Ontario Association of Adult and Continuing Education School Board Administrators (<https://cesba.com/>) website.

Access is provided to school boards to sample Grade 9 and 10 subject-based assessments for the equivalency process and a range of second language challenge assessments which may be used and/or modified. These assessments are available on the e-Community Ontario website (<https://community.elearningontario.ca/>) .

Literacy and language acquisition

In order for mature students to participate in the PLAR process, school boards are encouraged to deliver or collaborate with community partners to support literacy and language development, as needed.

Mature students, depending on their unique circumstances may benefit from participating in literacy and basic skills (LBS) (<https://www.ontario.ca/page/adult-learning-literacy-and-basic-skills>) programming supported by the Ministry of Labour, Immigration, Training and Skills Development (MLITSD), including opportunities available online through Ontario's e-Channel (<https://e-channel.ca/>) . MLITSD also supports non-credit language training programs in both English as a second language (<https://www.ontario.ca/page/adult-learning-english-second-language>) as well as French as a second language (<https://www.ontario.ca/page/adult-learning-french-second-language>) for immigrants and refugees looking to improve their English or French when it is not their first language.

Principals will ensure that mature students who enrol to earn their OSSD will meet the requisite Canadian Language Benchmark (<https://www.language.ca/home/>) in the associated official language of study to successfully participate in the PLAR process and any necessary credit courses.

The English as a second language (ESL) and English Literacy Development (ELD) (<http://www.edu.gov.on.ca/eng/curriculum/secondary/esl912currb.pdf>) curriculum also provides opportunities for credit courses which support foundational skills and credit accumulation.

To meet the literacy graduation requirement, mature students are encouraged to take the OSSLT in order to ensure an expeditious pathway to graduation and to avoid any unnecessary coursework (the OSSLC).

PLAR preparation and support

Ontario's Guidance and Career Education (<https://www.dcp.edu.gov.on.ca/en/curriculum/secondary-guidance-and-career-education>) curriculum provides opportunities to strengthen students skills and plays a central role by providing students with the tools they need for success in school, in the workplace, and in their daily lives.

To support mature students with the knowledge and skills that they need to be successful in the PLAR process, school boards may, at the recommendation of the principal, leverage courses such as Advanced Learning Strategies: Skills for Success After Secondary School (GLS40/GLE40/GLE30) to help prepare students for the PLAR process. At the recommendation of the principal, a mature student may be enrolled in the GLE courses without an Individual Education Plan (IEP). In lieu of the IEP, principals are to ensure that such students are designated with the Mature Student Flag for reporting in OnSIS. Expectations are to be modified to support learner readiness for the Grade 9 and 10 equivalency process, as well as the development of the equivalency application for Grade 11 and 12 courses. Note: Students may receive only one credit for Grade 12 Advanced Learning Strategies, either for GLS40 or for GLE40.

Education and career/life planning is a key pillar to supporting mature students by:

- ensuring that students develop the knowledge and skills they need to make informed education and career/life planning choices
- providing opportunities for learning both in and outside the classroom
- engaging the broader community in the development, implementation, and evaluation of the program to support students in their learning

School boards are encouraged to work with community partners – such as Employment Ontario (<https://www.ontario.ca/page/employment-ontario>) and/or Indigenous Skills and Employment Training (ISETS) (<https://www.canada.ca/en/employment-social-development/programs/indigenous-skills-employment-training.html>) providers to enhance the career education program, create opportunities and serve mature students by creating linkages to further education, skills training, and employment.

Additionally, non-credit literacy and numeracy opportunities are also available through the Learning Opportunities Grant (LOG) in the Grants for Student Needs (GSN) to support mature students in the PLAR process with tutorial support outside the school day and during the summer.

Appropriate access to technology such as tablets and laptops should be provided as well as access to wi-fi and broadband internet, as needed.

Appendix 1: Ontario schools intermediate and senior divisions equivalent standing for mature students (1989)

The following process applies to mature students working towards:

- An OSSD under Ontario Schools, Intermediate and Senior Divisions (Grades 7-12/OACs): Program and Diploma Requirements, 1989 (OSIS) (<https://www.ontario.ca/page/overview-policy-and-program-requirements-ontario-schools>) for students who entered the Ontario secondary school system in Grade 9 before September 1, 1999.
- A Secondary School Graduation Diploma (SSGD) under *Circular H.S. 1, (1979-81)* (<https://www.ontario.ca/page/overview-policy-and-program-requirements-ontario-schools>) for students who entered the Ontario secondary school system in Grade 9 before September 1, 1984.

Equivalent credits towards the OSSD may be granted to mature students who have returned to day school, are enrolled in classes in continuing education, have obtained private-study status, or are enrolled in the Independent Learning Centre.

Mature students who have previously accumulated fewer than twenty-six credits may wish to take advantage of any of the provisions for equivalent-credit allowances stated below. Such students shall not be awarded the OSSD until they have earned, subsequent to becoming mature students, at least four Ontario credits from the senior division. Mature students who have previously accumulated twenty-six or more credits towards the OSSD shall complete the required number of credits to bring their total up to a minimum of thirty credits before they qualify for the diploma. In applying the criteria governing equivalent-credit allowances, a principal may consider it desirable to delay assigning some or all of the equivalent credits until students have completed one or more courses normally taken in the Senior Division. The principal shall determine which compulsory courses (if any) must still be completed by the student to earn an OSSD.

Equivalent-credit allowances

In addition to diploma credits already accumulated by students – credits for which transcripts can be produced – the following equivalent-credit allowances may be given to raise the total number of accumulated credits for mature students to a maximum of twenty-six credits:

- **Maturity allowance:** a maturity allowance of up to twelve credits may be given on the basis of age and length of time out of school. This provision recognizes that experience in the adult world can produce competence and understanding equivalent for some purposes, and to varying degrees, to that which might have been gained through formal education. Because maturity is not necessarily proportionate to chronological age, the decision regarding how many of the twelve credits will be allotted to any individual mature student is left to the principal, who will judge each case according to its merits.
- **Equivalent-education allowance:** allowances may also be given to mature students for individual courses successfully completed but not normally identified as secondary education, if they are considered acceptable by the principal and if appropriate transcript information is available. Each course containing work that would normally be completed after a minimum of 110 hours of instruction may be considered to equal one equivalent credit. Courses that are considered to be postsecondary, for example, courses that normally qualify for college or university credit, do not qualify for credits towards the OSSD.
- **Apprenticeship-training allowance:** two equivalent credits may be allotted for the successful completion of each period of an apprenticeship-training program under authority of the former *Apprenticeship and Tradesmen's Qualification Act, Revised Statutes of Ontario, 1980*, chapter 24, *Trades Qualification and Apprenticeship Act, 1990*, and the *Ontario College of Trades and Apprenticeship Act, 2009*, chapter 22 (now *Building Opportunities in the Skilled Trades Act, 2021*, S.O. 2021, c. 28 - Bill 288). The equivalent credits assigned under this section shall be recorded as such on the OST.

The equivalent credits assigned under this section shall be recorded as such on the OST.

Stipulations governing credit requirements

When a principal has determined how many credits a mature student has yet to earn towards a diploma, the student should be given guidance regarding the credit courses that are to be included in their program. After judging each case on its merits, the principal may stipulate general requirements for earning the diploma. A ruling of this nature should be given to the student in writing, with a copy placed in the student's record folder. Any ruling should not be unduly burdensome on the student but should be made in their best interests.

Appendix 2: record keeping

All entries on the student's OST must be made in accordance with *The Ontario Student Transcript (OST): Manual (2013)* (<https://www.ontario.ca/page/ontario-student-transcript-manual>).

Principals will ensure that the results of a mature student's individual assessment are recorded on the "Cumulative Tracking Record" form for Grade 9 and 10 credits.

Principals will ensure that equivalent credits for mature students are recorded on the "Cumulative Tracking Record" form for Grade 11 and 12 credits. Boards will ensure that the appropriate PLAR "Cumulative Tracking Record" forms for mature students, are maintained and included in the student's OSR. These forms are intended to track the number of credits that a mature student has obtained through the equivalency and challenge processes and the disciplines in which these credits have been obtained, as well as failures and withdrawals.

Principals will also ensure that:

- For challenges for credit for Grade 11 or 12 courses, the student's passing percentage grade, failing percentage grade, or withdrawal from the challenge process must be entered on the appropriate tracking record forms.
- For challenges for credit for Grade 11 and 12 courses, passing and failing percentage grades will be entered on the student's OST. No notation will be entered on the OST if the student withdraws from the challenge process.

Required forms

- PLAR for mature students – equivalency process for Grade 9 and 10 credits: cumulative tracking record (https://files.ontario.ca/edu-equivalency-process-grade_9-and-10-cumulative-tracking-record-en-3-2021-12-06.odt)
- PLAR for mature students – equivalency process for grade 11 and 12 credits: cumulative tracking record (<https://files.ontario.ca/edu-equivalency-process-grade-11-and-12-cumulative-tracking-record-en-2021-12-01.odt>)
- PLAR for mature students – challenge process for grade 11 and 12 credits: cumulative tracking record (<https://files.ontario.ca/edu-challenge-process-grade-11-and-12-cumulative-tracking-record-en-2021-12-01.odt>)

Sample forms

- PLAR for mature students: application to challenge for credit for a Grade 11 or 12 course (<https://files.ontario.ca/edu-application-challenge-for-credit-grade-11-and-12-en-2021-12-01.odt>)
- PLAR for mature students: application for assessment for grade 11 and 12 credits through the equivalency process (<https://files.ontario.ca/edu-application-equivalency-process-grade-11-and-12-credits-en-2021-12-01.odt>)
- PLAR for mature students: record of assessment of challenge for credit for a course (<https://files.ontario.ca/edu-record-of-assessment-challenge-for-credit-en-2021-12-01.odt>)

Appendix 3 – Information regarding the Ontario Certificate of Apprenticeship and/or Qualification: Skilled Trades Ontario (STO)

Skilled Trades Ontario (STO) (<https://www.skilledtradesontario.ca/>) is an agency of the Ministry of Labour, Immigration, Training and Skills Development responsible for apprenticeship and skilled trades certification in Ontario. It was established through *the Building Opportunities in the Skilled Trades Act, 2021* (<https://www.ontario.ca/laws/statute/s21028>).

STO is the source for detailed trades information (<https://www.skilledtradesontario.ca/about-trades/trades-information/>) and apprenticeship resources, such as training and curriculum standards for each skilled trade which can help guide principals in determining equivalency, and awarding credit from the Ontario secondary school curriculum. Information can be found on the STO website (<https://www.skilledtradesontario.ca/about-trades/trades-information/>).

Upon completion of an apprenticeship, the Ministry of Labour, Immigration, Training and Skills Development will issue a Certificate of Apprenticeship. In trades with a Certificate of Qualification exam, STO will issue a Provisional Certificate of Qualification, which allows an individual to continue working in a compulsory trade for up to one-year, in which the individual must write and pass the Certificate of Qualification exam in order to obtain a Certificate of Qualification from STO.

For trades with certifying exams, individuals from jurisdictions outside Ontario may apply to STO for a Trade Equivalency Assessment (<https://www.skilledtradesontario.ca/experienced-workers/trade-equivalency-assessment/>), the first step towards obtaining a Certificate of Qualification for experienced workers who have not completed an Ontario apprenticeship but who have equivalent skills and experience.

Policy/Program Memorandum 131

Date of Issue: June 17, 2002

Effective: Until revoked or modified

Subject: Home Schooling

Application: Chairs of District School Boards
Directors of Education
Secretaries of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principal of Independent Learning Centre

Introduction

This memorandum provides direction to school boards^[1] and schools concerning policies related to home schooling and the excusing of children from school who are receiving home schooling. School boards should bring this memorandum to the attention of parents^[2] who are providing home schooling.

In addition, this memorandum revokes and replaces the memorandum entitled "Determining Satisfactory Instruction Under Subsection 20(2) of the Education Act", issued in 1981 by K. D. Johnson, the Provincial School Attendance Counsellor.

The sections and subsections of the Education Act that are relevant to this memorandum are listed in appendix A.

Home schooling procedures

Procedures for parents

Parents who decide to provide home schooling for their child(ren) should notify the school board of their intent in writing. Parents should provide the name, gender, and date of birth of each child who is receiving home schooling, and the telephone number and address of the home. The letter should be signed by the parent(s). Parents may use the sample letter provided in appendix B to this memorandum. If the home address changes, parents should notify the school board of the change of address.

If parents decide to continue to provide home schooling in subsequent years, they should give notification each year in writing prior to September 1 to the school board in whose jurisdiction their child last attended school. The letter should contain the same information as that in the initial letter described above.

Procedures for school boards

When parents give a board written notification of their intent to provide home schooling for their child, the board should consider the child to be excused from attendance at school, in accordance with subsection 21(2), clause (a), of the Education Act. The board should accept the written notification of the parents each year as evidence that the parents are providing satisfactory instruction at home. The board should send a letter each year to the parents, acknowledging the notification; for this purpose, the board may use the sample letter in appendix C.

Normally, the board should not investigate the matter. However, if there are reasonable grounds to suspect that the child is not receiving satisfactory instruction at home, the board should take steps to determine whether the instruction is satisfactory, as outlined in the next section.

Board investigations of home schooling**Reasons for an investigation**

As stated above, it is the responsibility of school boards to excuse children from attendance at school when home schooling is provided, in accordance with subsection 21(2), clause (a), of the Education Act. However, where a board has reasonable grounds to be concerned that the instruction provided in the home may not be satisfactory, the board should investigate the matter.

The following is a list of some of the reasons that may give a board cause to investigate a particular instance of home schooling:

- refusal of a parent to notify the board in writing of the intent to provide home schooling
- a credible report of concern by a third party with respect to the instruction being provided in the home
- evidence that the child was removed from attendance at school because of ongoing conflicts with the school, not for the purpose of home schooling
- a history of absenteeism by the child prior to the parent's notifying the board of the intent to provide home schooling

Guidelines for conducting an investigation

In conducting an investigation, the board may have one of its officials meet with the family or it may ask the parent to submit information about the home schooling in writing.

Whether meeting with the family or reviewing information submitted in writing, board officials should recognize that the methodology, materials, schedules, and assessment techniques used by parents who provide home schooling may differ from those used by educators in the school system. For example, the parent may not be following the Ontario curriculum, using standard classroom practices in the home, or teaching within the standard school day or school year. Determining whether instruction is satisfactory should therefore focus on the following:

- a plan for educating the child
- plans to ensure literacy and numeracy at developmentally appropriate levels
- plans for assessing the child's achievement

If the board chooses to have a board official meet with the family, the following questions and requests may be used as a guide for the discussion:

- Do you have an instructional plan, regularly planned instructional time, and a daily work schedule? Please provide details
- What subjects are you teaching?

- What do you expect to accomplish with your child in English, mathematics, and other subjects this year?
- Is your instructional program based on the Ontario curriculum or on a different curriculum?
- If you follow the Ontario curriculum, which documents do you use?
- If you do not use Ontario curriculum documents, please describe the curriculum documents you do use
- Please describe the typical kinds of activities that you provide for your child in the subjects you are teaching. Please provide samples of your child's work in each subject area
- What types of materials do you use to assist you in accomplishing your plans (e.g., encyclopaedias, textbooks, magazines, newspapers, television programs, materials on the Internet, computer programs)?
- Please describe the techniques you use to assess your child's learning
- Do you use community resources to support your instruction? If so, which ones?
- Do you network with other parents who provide home schooling? How?
- Please feel free to provide any other information that would help the board determine whether instruction is satisfactory

If the board chooses to request a written submission from the parent, board officials may ask the parent to complete a form such as the sample form in appendix D.

If the board is unable to determine from this investigation whether the child is receiving satisfactory instruction at home, it may take further action, in accordance with subsection 24(2) and/or section 30 of the Education Act (for further information, see appendix A to this memorandum and the section entitled "Inquiries by the Provincial School Attendance Counsellor" of this memorandum).

The role of home-schooling support associations in an investigation

When a board official is conducting the investigation, a member of a recognized support group for parents who provide home schooling may be present. These support groups include the Ontario Federation of Teaching Parents, the Ontario Christian Home Educators' Connection, the Home School Legal Defence Association of Canada, and the Catholic Home Schoolers' Association – Ontario.

Access to resources for parents providing home schooling

Parents who have given a school board written notification of their intent to provide home schooling may request access to the resources outlined below.

Assessments and tests administered by the education quality and accountability office

Parents providing home schooling may wish their child(ren) to participate in assessments for students in Grades 3, 6, and 9, and/or the Ontario Secondary School Literacy Test (normally given to students in Grade 10), all of which are administered by the Education Quality and Accountability Office (EQAO). These parents must contact the school board by September 30 (or another date specified by the school board) of the year in which the assessments/tests are being conducted for information about the dates, times, and locations. Parents who wish their children to participate in any of these assessments/tests will not be charged a fee either by the board or by the EQAO.

The board should provide space for these children at a local school at the time and on the dates when assessments/tests are being administered to the board's regular day school students. The school will request sufficient assessment/test materials from the EQAO so that the children who are receiving home schooling can participate. The school will also inform the parent of the date, time, and location of the assessment/test. It is the responsibility of the parent to provide transportation for the child to and from the site.

The EQAO will send the results of children who are receiving home schooling to the school where they participated in the assessment/test. Schools will send these children's results directly to the children's homes. The results of children who are receiving home schooling will not be included in school and board reports generated by the EQAO or by the schools and boards.

Courses offered through the Independent Learning Centre

A parent who wishes to enrol a child of compulsory school age in courses offered through the Independent Learning Centre (ILC) may do so, provided that the parent has notified the school board of the intent to provide home schooling. To enrol the child with the ILC, the parent must submit the enrolment form to the ILC, along with a letter from the school board (such as the sample letter in appendix C) indicating that the child is receiving home schooling and is excused from attendance at school.

Students taking courses through the ILC pay an administration fee that applies to every course offered by the ILC, including full-credit, half-credit, and non-credit courses. Parents may obtain information about fees and enrolment forms directly from the ILC.

Ministry of Education curriculum material

Parents who are providing home schooling may download curriculum policy documents and curriculum support material produced by the Ministry of Education free of charge from the ministry's website. This material may also be obtained through Publications Ontario. Parents may contact Publications Ontario (<https://www.publications.gov.on.ca/>) by calling Toll-free: 1-800-668-9938, or they may visit its website for more information.

Support services offered by the Ministry of Health and Long-Term Care

Families in which children are receiving home schooling have access to Ministry of Health and Long-Term Care school health support and personal support services (and equipment) through the local community care access centres (CCACs) of the Ministry of Health and Long-Term Care. Regulation 386/99 under the Long-Term Care Act sets out the eligibility criteria for these services. The first criterion is that "the person must be enrolled as a pupil at a school or be receiving satisfactory instruction at home in accordance with clause 21(2)(a) of the Education Act." For a child who is receiving home schooling to be eligible for these services, the parent must provide the local CCAC with a letter from the school board (such as the sample letter in appendix C) indicating that the child is excused from attendance at school because the child is receiving satisfactory instruction at home.

Clarification of related policy

Prior Learning Assessment and Recognition (PLAR)

Sections 6.6 and 6.7.2 and appendix 8, "Equivalent Diploma Requirements", of *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999 (OSS)* will also apply to students enrolled in an Ontario secondary school, other than mature students (as defined in OSS), who are entering secondary school after having received home schooling.

Funding for part-time attendance

The Ministry of Education provides funding to boards for students who attend school on a part-time basis. The per-pupil grants are prorated according to the amount of time the student is in attendance at the school.

Enrolment registers

A school will not record a child who is receiving home schooling on a full-time basis in the enrolment register for full-time day school students. If, however, a student is receiving some instruction at a school operated by a board, the student's enrolment for this instruction will be recorded in the appropriate register. Refer to the Instructions section of the appropriate register for details.

Inquiries by the provincial school attendance counsellor

When a school board is unable to determine whether a child is receiving satisfactory instruction, it may request that the Provincial School Attendance Counsellor inquire into the case under subsection 24(2) of the Education Act. The Provincial School Attendance Counsellor will appoint an inquiry officer to conduct the inquiry. If the inquiry determines that the child is not receiving satisfactory instruction and the Provincial School Attendance Counsellor orders that the child attend school, the school board must determine the appropriate action to be taken.

Before requesting an inquiry by the Provincial School Attendance Counsellor, the board should ensure that it has:

- taken appropriate steps to determine whether the child is receiving satisfactory instruction
- retained documentation of its communication with the parents, including copies of written communication, notes on telephone calls and other verbal communication, a record of the types of communication (e.g., telephone call, registered letter), and a record of the number of attempts to communicate
- retained documentation on the nature of the information and material provided by the parent in response to the board's investigation
- prepared a factual summary of its investigation, including a conclusion, which will be forwarded to the Provincial School Attendance Counsellor

Appendix A: Legislation

The following sections of the Education Act are relevant to this memorandum:

- Subsection 21(1) requires every child to attend school from the age of six until the age of sixteen
- Subsection 21(2) lists the legal reasons that a child may be excused from attending school. One of the reasons is that "the child is receiving satisfactory instruction at home or elsewhere", stated in clause (a)
- Subsection 21(5) requires parents to send children to school
- Subsection 24(1) deals with the appointment of the Provincial School Attendance Counsellor, and subsection 24(2) sets out the authority and mandate of the Provincial School Attendance Counsellor to conduct an inquiry into the reasons for, and other circumstances related to, a child's non-attendance at school
- Section 25 deals with the appointment by school boards of school attendance counsellors, and authorizes a school attendance counsellor to enforce compulsory school attendance
- Section 26 sets out the duties and powers of school attendance counsellors
- Section 30 deals with prosecution of parents or guardians for a child's non-attendance at school
- Subsection 30(7) authorizes a court to order an inquiry under subsection 24(2)

Appendix B, C and D

The following forms (<http://www.edu.gov.on.ca/extra/eng/ppm/ppm131.pdf>) are included in the appendix: (PDF, 124 KB)

- Sample letter indicating notification of intent to provide home schooling
- Sample letter in response to a parent's notification
- Sample of form for gathering information in an investigation

Policy/Program Memorandum 129

Date of Issue: July 6, 2001

Effective: Until revoked or modified

Subject: Prior learning assessment and recognition (PLAR): implementation in Ontario secondary schools

Application: Directors of Education
Secretaries of School Authorities
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools
Principals of Inspected Private Schools
Principal of the Independent Learning Centre

Introduction

This memorandum provides direction to school boards^[1] and schools concerning the implementation of *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999* (OSS), section 6.6: Prior Learning Assessment and Recognition, for regular day school students^[2] who are enrolled in Ontario secondary schools, including Provincial Schools, Demonstration Schools, the Independent Learning Centre, and inspected private schools that choose to implement Prior Learning Assessment and Recognition.

This memorandum does not apply to mature students.^[3] Mature students who return to secondary school before the beginning of the 2003-04 school year will continue to have their placement determined according to the requirements set out in *Ontario Schools, Intermediate and Senior Divisions (Grades 7-12/OACs): Program and Diploma Requirements, 1989, rev. ed. (OSIS)*, section 6.14: Equivalent Standing for Mature Students.

The prior learning assessment and recognition process

Prior Learning Assessment and Recognition (PLAR) is the formal evaluation and credit-granting process whereby students may obtain credits for prior learning. Prior learning includes the knowledge and skills that students have acquired, in both formal and informal ways, outside

secondary school. Students may have their knowledge and skills evaluated against the expectations outlined in provincial curriculum policy documents in order to earn credits towards the secondary school diploma. The PLAR process involves two components: "challenge" and "equivalency".

The "challenge" process is the process whereby students' prior learning is assessed for the purpose of granting credit for a Grade 10, 11, or 12 course developed from a provincial curriculum policy document published in 1999 or later.

The "equivalency" process is the process of assessing credentials from other jurisdictions.

All boards are responsible for developing and implementing PLAR policies and procedures that are consistent with provincial policy (OSS, sections 6.6 and 8.2).

All credits granted through the PLAR process – that is, through either the challenge process or the equivalency process – must represent the same standards of achievement as credits granted to students who have taken the courses.

In accordance with the *Education Act*, publicly funded boards will not charge students fees for undergoing the challenge or equivalency process. Subsection 32(1) of the act enables a person who is "qualified to be a resident pupil" of a board to attend school "without payment of a fee". Clause 170(1)(6) of the act requires boards to "provide instruction ... for the pupils who have a right to attend a school under the jurisdiction of the board".

This memorandum contains direction to boards and schools concerning both the challenge process and the equivalency process.

Requirements for the PLAR challenge process

Responsibilities of boards

All publicly funded boards, as well as inspected private schools that choose to implement PLAR, must develop and implement policies and procedures related to the challenge process that are consistent with provincial policy (OSS, sections 6.6 and 8.2). In accordance with the implementation schedule given in OSS, appendix 1, all publicly funded boards must implement these policies and procedures for Grade 10 courses in the 2001-2 academic year, for Grade 11 courses in the 2002-3 academic year, and for Grade 12 courses in the 2003-4 academic year. Inspected private schools that choose to implement PLAR, however, may implement these policies and procedures in accordance with the times specified in this schedule or at any time following the times specified in this schedule.

Boards must also ensure that a clear statement is published in the school course calendars outlining when students can challenge for credit and what opportunities for challenge are available (OSS, section 5.3.1).

It should be noted that a board is not obliged to provide opportunities for students to challenge for credit for courses based on provincial curriculum policy documents that are not actually taught in schools operated by the board. Such a board may make arrangements with other boards to provide opportunities for eligible students to challenge for credit for courses that are not offered by the board.

Boards must use the forms entitled "PLAR Challenge for Credit: Cumulative Tracking Record" and "PLAR Challenge for Credit: Interim Tracking Record" provided in the appendix to this memorandum for recording student results. No changes of any kind may be made to these forms. (See also the section "Record Keeping" of this memorandum.)

Boards may use the sample application form and the sample form for recording assessment that are provided in the appendix, or they may develop their own. Any forms developed by boards, however, must include, at a minimum, what is on the sample forms.

Boards will report to the ministry in the School September Reports the number of all challenges for credit that were completed – that is, all challenges for which students earned a final percentage grade, whether a passing or a failing grade. For semestered schools, this information will also be submitted in the School March Reports.

Responsibilities of school principals

PLAR procedures will be carried out under the direction of the school principal,^[4] who grants credits.

The principal will:

- ensure that students are informed that they are responsible for initiating the challenge process and for satisfying all of the requirements, and ensure that students who are not adults (i.e., students who are under the age of eighteen) are informed that they

need parental approval before applying to challenge for credit for a course

- ensure that every prospective applicant and his or her parents, if he or she is not an adult, are informed about policies and procedures related to challenging for credit, including policies on and procedures for recording results in the Ontario Student Record (OSR) and on the Ontario Student Transcript (OST) (see the section "Record Keeping" on page 6 of this memorandum)
- ensure that every prospective applicant is provided with an application form (see the form in the appendix to this memorandum), as well as materials that indicate what is expected in the course (i.e., the curriculum expectations) for which the student wishes to challenge for credit
- evaluate each application in consultation with the student's parents (or with the student if the student is an adult) and appropriate school staff (i.e., guidance counsellor, teacher-adviser, and subject teacher) to determine whether reasonable evidence for success exists and whether the challenge should occur
- develop formal tests and other assessment strategies
- conduct the testing (i.e., the use of formal tests and of other appropriate assessment strategies)
- evaluate and report on the student's performance

For the purposes of this memorandum, the principal of an inspected private school that chooses to implement PLAR is the person who has responsibility for the daily operation of the school.

Principals of schools operated by publicly funded boards must ensure that only teachers certified by the Ontario College of Teachers conduct the PLAR challenge process.

Policies governing the challenge process

The challenge process is an evaluation process and may not be used as a way for students to improve their mark in a course for which they have already earned a credit, nor as a way to obtain a credit for a course they have previously failed.

Students may challenge for credit only for Grade 10, 11, and 12 courses in provincial curriculum policy documents. (See OSS, section 6.6.)

Students may earn no more than four credits through the challenge process, including a maximum of two credits in any one discipline.^[5] (See OSS, section 6.6.)

Students may challenge for credit for a course only if they can provide reasonable evidence to the principal that they would be likely to be successful in the challenge process, in accordance with criteria established by the ministry in OSS, section 6.6, and in this memorandum, and to policies and procedures established by the board. In cases where a student who is an adult or the parent of a student who is not an adult disagrees with the decision of the principal about whether or not the student should challenge for credit, the parent or adult student may ask the appropriate supervisory officer to review the matter.

Students may use certificates or other records of accomplishment earned outside Ontario classrooms as reasonable evidence of eligibility to challenge for credit for a related course within the Ontario curriculum, if they wish to earn credit for the course without taking the course. Students with music certificates that are accepted for credits in OSS, appendix 4, Music Certificates Accepted for Credits, however, are not required to challenge for credit for the appropriate music courses, but are granted credits in accordance with appendix 4 and section 6.8.6.

A student must challenge for credit for an entire course, whether it is a full-credit or a partial-credit course.

Credit will be granted only for the specific course for which the student has successfully challenged for credit.

Students cannot be granted credits through the challenge process for any of the following courses:

- a course in any subject if a credit has already been granted for a course in that subject in a later grade either as a single credit or as part of a block equivalency
- a course for which credit has already been granted or for which there is significant overlap with a course for which credit has been granted (e.g., a student cannot challenge for credit for an academic course if he or she has already earned a credit for the applied course at the same grade level, and vice versa)
- a transfer course
- a locally developed course

- a cooperative education course
- a course in English as a second language (ESL), English literacy development (ELD), or Anglais pour débutants (APD), if the student has one or more credits in English from the curriculum policy documents for English for Grades 9 to 12 under OSS (i.e., the documents for English-language schools or the documents for French-language schools) or from the curriculum guidelines for English or Anglais/English for Grades 9 to 12/OACs under OSIS
- a course in French as a second language (FSL), Actualisation linguistique en français (ALF), or Perfectionnement du français (PDF), if the student has one or more credits in Français from the curriculum policy documents for Français for Grades 9 to 12 under OSS or the curriculum guideline for Français for Grades 9 to 12/OACs under OSIS

A student will be permitted to challenge for credit for a specific course a second time after a reasonable interval, if the student can provide reasonable evidence to the principal that he or she is likely to be successful after having benefited from additional study and experience during the interval.

In publicly funded schools, students' requests to challenge for credit will be entered in their annual education plans as part of their plans for fulfilling their educational goals.

Assessment and evaluation

Assessment and evaluation through the PLAR process will be based on the curriculum expectations and the achievement charts in the Ontario curriculum policy documents. Assessment and evaluation must be based on all the strands in a course and on all categories of knowledge and skills and the descriptions of achievement levels given in the achievement chart that appears in the curriculum policy document for the discipline. A student's level of achievement will be recorded as a percentage grade on the OST in the same way as achievement in other courses.

Assessment and evaluation strategies for the challenge process must include formal tests (70% of the final mark) and a variety of other assessment strategies appropriate for the particular course (30% of the final mark). The formal tests must have a balance between written work and practical demonstration that is appropriate for the subject/discipline. Other assessment strategies may include evaluation of written assignments, demonstrations/performances, laboratory work, and quizzes, and observation of student work. The principal is responsible for developing and administering the formal tests and for determining which assessment strategies are most appropriate for each course for which a student is challenging for credit.

Record keeping

Boards will ensure that a "PLAR Challenge for Credit: Cumulative Tracking Record" form is maintained and included in the student's OSR. This form is intended to track the number of credits earned and the disciplines in which credits have been earned through the challenge process, as well as failures and withdrawals.

A "PLAR Challenge for Credit: Interim Tracking Record" form will be maintained for credits earned through the challenge process in a school *outside* the student's regular school (the regular school is the school that maintains the student's OSR). The principal of the school outside the student's regular school will use the "Interim Tracking Record" form to communicate the results of the student's challenges for credit to the school that maintains the OSR. The principal of the student's regular school will enter this information onto the "Cumulative Tracking Record" form in the student's OSR. Only the "Cumulative Tracking Record" form will be maintained in the student's OSR. (If it is necessary to use more than one "Cumulative Tracking Record" form to record a student's attempts to challenge for credit, the additional form(s) should be attached to the original form.)

The following entries must be made on the student's "Cumulative Tracking Record" form and the "Interim Tracking Record" form, as applicable:

- *for challenges for credit for Grade 10, 11, or 12 courses:* The student's passing percentage grade, failing percentage grade, or withdrawal from the challenge process must be entered on the appropriate tracking record form(s)

The following entries must be made on the student's OST:

- *for challenges for credit for Grade 10 courses:* Only passing percentage grades will be entered on the OST. If the student subsequently takes the Grade 10 course, only the higher percentage grade will be recorded on the OST. No notation will be entered on the student's OST if the student withdraws from or receives a failing grade in the challenge process.
- *for challenges for credit for Grade 11 and 12 courses:* Passing and failing percentage grades will be entered on the student's OST. No notation will be entered on the OST if the student withdraws from the challenge process

Requirements for the PLAR equivalency process

Responsibilities of boards

Boards must develop and implement policies and procedures related to the equivalency process that are consistent with provincial policy (OSS, sections 6.6 and 8.2). They must also ensure that information on the equivalency process is included in their school course calendars (OSS, section 5.3.1).

Responsibilities of school principals

Students who are eligible for equivalency credits are those who transfer to Ontario secondary schools from non-inspected private schools or schools outside Ontario. Equivalency credits are granted for placement only. The principal of the receiving school will, in the process of deciding where the student should be placed, determine as equitably as possible the total credit equivalency of the student's previous learning, and the number of compulsory and optional credits still to be earned.

To ensure provincial consistency in establishing equivalency for students for placement purposes, principals will use as a guide the table entitled "Requirements for the OSSD Under OSS" in OSS, appendix 8: Equivalent Diploma Requirements, to determine the number of credits, including compulsory credits, that the student must earn, as well as other diploma requirements that the student must satisfy, in order to qualify for the secondary school diploma. In cases where a student who is an adult or the parent of a student who is not an adult disagrees with the principal's placement decision for students transferring to an Ontario secondary school from a non-inspected private school or a school outside Ontario, the adult student or the parent may ask the appropriate supervisory officer to review the matter.

Principals will note that OSS diploma requirements apply to all students who do not have Ontario credits who enter or are placed in Grade 11 in 2001 and Grade 12 in 2002, as well as to those who entered or were placed in Grade 9 in 1999 and Grade 10 in 2000.

Record keeping

Principals will ensure that equivalency is recorded in accordance with *The Ontario Student Transcript (OST): Manual, 1999*.

Appendix

The following forms (<http://www.edu.gov.on.ca/extra/eng/ppm/ppm129.pdf>) are included in the appendix: (PDF, 18 KB)

- PLAR Challenge for Credit: Cumulative Tracking Record
- PLAR Challenge for Credit: Interim Tracking Record
- Application to Challenge for Credit for a Course
- Record of Assessment of Challenge for Credit for a Course

Policy/Program Memorandum 128

Date of Issue: August 29, 2019

Effective: November 4, 2019, until revoked or modified

Subject: The provincial code of conduct and school board codes of conduct

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Principals of Elementary Schools

Principals of Secondary Schools

Principals of Provincial and Demonstration Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 128, October 17, 2018.

Introduction

The purpose of this memorandum is to communicate to school boards^[1] the revised provincial Code of Conduct. The provincial Code of Conduct has been revised to include a restriction on the use of personal mobile devices^[2] during instructional time.

The use of personal mobile devices during instructional time is permitted under the following circumstances:

- for educational purposes, as directed by an educator^[3]
- for health and medical purposes
- to support special education needs

School boards have a duty under the Ontario Human Rights Code to provide appropriate accommodations to students and employees of the board, including educators. If a student or other person employed by the board requires the use of a personal mobile device as an accommodation under the Human Rights Code, school boards are obligated to allow such accommodation.

This memorandum also gives direction to school boards on reviewing their own codes of conduct and the local codes of conduct in their schools. Boards must review their codes of conduct to ensure that they are consistent with the revised provincial Code of Conduct.

Boards should note that subsection 301(2) of Part XIII of the Education Act outlines the purposes of the provincial Code of Conduct. In accordance with subsection 301(3.1), if a board enters into an agreement with a third party with respect to rental of school space or for the provision of before- and after-school programs,^[4] the board must include in the agreement a requirement that the other party follow standards that are consistent with the provincial Code of Conduct.

A school should be a place that promotes responsibility, respect, civility, and academic excellence in a safe learning and teaching environment. A positive school climate exists when all members of the school community feel safe, included, and accepted, and actively promote positive behaviours and interactions. Building and sustaining a positive school climate is a complex challenge requiring evidence-informed solutions.

A whole-school approach, which involves all members of the school community, is also important in supporting efforts to ensure that schools are safe, inclusive, and accepting. It is an effective approach to making systemic changes that will benefit all students and the broader community.

All students,^[5] parents,^[6] and teachers and other school staff^[7] have the right to be safe, and to feel safe, in their school community. With this right comes the responsibility to contribute to a positive school climate. To foster a positive school climate that supports student achievement and well-being, school boards should focus on prevention and early intervention strategies to address inappropriate behaviour.

The provincial Code of Conduct sets clear provincial standards of behaviour. These standards of behaviour apply to students whether they are on school property, in a virtual learning environment, on school buses, at school-related events or activities, in before- and after-school programs, or in other circumstances that could have an impact on the school climate. They also apply to all individuals involved in the publicly funded school system – principals, teachers, early childhood educators, other school staff, parents, school bus drivers, volunteers, and members of various community groups.

Responsible citizenship involves appropriate participation in the civic life of the school community. Active and engaged citizens are aware of their rights, but more importantly, they accept responsibility for protecting their rights and the rights of others.

Requirements for school boards

All school boards must ensure that their codes of conduct are:

- up to date and consistent with the provincial Code of Conduct, as outlined in this memorandum
- compliant with all Ministry of Education policies as well as the requirements of the Education Act, its regulations and all other applicable legislation, including the Ontario Human Rights Code
- made available to the public, either on the school board's website or, if the board does not have a website, in another appropriate manner

Revision of school board codes of conduct

The standards of behaviour in school board codes of conduct must be consistent with the requirements set out in this memorandum. In reviewing their codes of conduct, school boards must solicit the views of students, teachers, principals, other staff of the board, volunteers working in the schools, parents of the students, school councils, and the public. They should also consult with their Special Education

Advisory Committee, their Indigenous Education Advisory Council,^[8] social service agencies, mental health agencies, and other appropriate community partners. Boards may also choose to consult with their Parent Involvement Committee. School board codes of conduct must:

- include the standards stated in the provincial Code of Conduct
- set out standards of behaviour for all members of the school community (e.g., parents, students, school staff, visitors, volunteers)
- link locally developed standards to the relevant provincial standards
- indicate where and/or when these standards will apply (e.g., during instructional time in the classroom, in a virtual learning environment, in school sports activities, on school buses, in off-site school-sponsored activities, in before- and after- school programs, or in circumstances where engaging in an activity could have a negative impact on the school climate)
- include procedures and timelines for review (reviews should be conducted at least every three years)

Development or revision of local codes of conduct in schools

School boards may require principals to develop codes of conduct tailored expressly for their schools. Where local codes have already been developed, they must be updated to be consistent with the provincial Code of Conduct and other requirements in this memorandum. These codes must set out clearly what is acceptable and what is unacceptable behaviour for all members of the elementary or secondary school community (e.g., parents, students, school staff, visitors, volunteers), and must also address requirements specified by the board.

In developing or reviewing these local codes of conduct, the principal must take into consideration the views of the school council. In addition, the principal should:

- seek input from students, teachers and other school staff, parents, and other members of the school community
- include procedures and timelines for review, in accordance with school board policy
- post the school's code of conduct on the school website or, if the school does not have a website, make the code of conduct available to the public in another appropriate manner
- develop a communications plan that outlines how these standards will be made clear to everyone, including parents whose first language is a language other than English or French.

School boards should assist principals in developing or reviewing their local codes of conduct by creating clear guidelines for the development of such codes, in accordance with this memorandum.

The provincial code of conduct

Purposes of the code

Subsection 301(1) of Part XIII of the Education Act states that “the Minister may establish a code of conduct governing the behaviour of all persons in schools”. Subsection 301(2) sets out the purposes of this provincial code of conduct, as follows:

1. to ensure that all members of the school community, especially people in positions of authority, are treated with respect and dignity
2. to promote responsible citizenship by encouraging appropriate participation in the civic life of the school community
3. to maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility
4. to encourage the use of non-violent means to resolve conflict
5. to promote the safety of people in the schools
6. to discourage the use of alcohol, illegal drugs and, except by a medical cannabis user,^[9] cannabis
7. to prevent bullying in schools

Standards of behaviour

Respect, civility, and responsible citizenship

All members of the school community must:

- respect and comply with all applicable federal, provincial, and municipal laws

- demonstrate honesty and integrity
- respect differences in people, their ideas, and their opinions
- treat one another with dignity and respect at all times, and especially when there is disagreement
- respect and treat others fairly, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability
- respect the rights of others
- show proper care and regard for school property and the property of others
- take appropriate measures to help those in need
- seek assistance from a member of the school staff, if necessary, to resolve conflict peacefully
- respect all members of the school community, especially persons in positions of authority
- respect the need of others to work in an environment that is conducive to learning and teaching, including by ensuring that personal mobile devices are only used during instructional time for the educational and other permitted purposes outlined of this memorandum
- not swear at a teacher or at another person in a position of authority

Safety

All members of the school community must not:

- engage in bullying behaviours, including cyberbullying;^[10]
- commit sexual assault
- traffic in weapons or illegal drugs
- give alcohol or cannabis to a minor
- commit robbery
- be in possession of any weapon, including firearms
- use any object to threaten or intimidate another person
- cause injury to any person with an object
- be in possession of, or be under the influence of alcohol, cannabis (unless the individual has been authorized to use cannabis for medical purposes), and illegal drugs
- provide others with alcohol, illegal drugs, or cannabis (unless the recipient is an individual who has been authorized to use cannabis for medical purposes)
- inflict or encourage others to inflict bodily harm on another person
- engage in hate propaganda and other forms of behaviour motivated by hate or bias
- commit an act of vandalism that causes extensive damage to school property or to property located on the premises of the school.

Roles and responsibilities

School boards

School boards provide direction to their schools to promote student achievement and well-being and to ensure accountability in the education system. It is the responsibility of school boards to:

- develop policies that set out how their schools will implement and enforce the provincial Code of Conduct and all other rules that they develop that are related to the provincial standards that promote and support respect, civility, responsible citizenship, and safety
- establish a process that clearly communicates the provincial Code of Conduct and school board codes of conduct to all parents, students, principals, teachers, other school staff, and members of the school community in order to obtain their commitment and support
- review these policies regularly with those listed above and revise them as necessary

- seek input from school councils, as well as from the board's Parent Involvement Committee, Special Education Advisory Committee, and Indigenous Education Advisory Council
- develop effective intervention strategies and respond to all infractions related to the standards for respect, civility, responsible citizenship, and safety
- provide opportunities for all of the staff to acquire the knowledge, skills, and attitudes necessary to promote student achievement and well-being in a safe, inclusive, and accepting learning environment

Wherever possible, boards should collaborate to provide coordinated prevention and intervention programs and services, and should endeavour to share effective practices.

Principals

Under the direction of their school boards, principals take a leadership role in the daily operation of a school. They provide this leadership by:

- demonstrating care for the school community and a commitment to student achievement and well-being in a safe, inclusive, and accepting learning environment
- holding everyone under their authority accountable for their own behaviour and actions
- empowering students to be positive leaders in their school and community
- communicating regularly and meaningfully with all members of their school community

Teachers and other school staff

Under the leadership of their principals, teachers and other school staff maintain a positive learning environment and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models, teachers and other school staff uphold these high standards when they:

- help students work to their full potential and develop their sense of self-worth
- empower students to be positive leaders in their classroom, school, and community
- communicate regularly and meaningfully with parents
- maintain consistent and fair standards of behaviour for all students
- demonstrate respect for one another, all students, parents, volunteers, and other members of the school community
- prepare students for the full responsibilities of citizenship

Students

Students are to be treated with respect and dignity. In return, they must demonstrate respect for themselves, for others, and for the responsibilities of citizenship through acceptable behaviour. Respect and responsibility are demonstrated when students:

- come to school prepared, on time, and ready to learn
- show respect for themselves, and for others, and for those in positions of authority
- refrain from bringing anything to school that may compromise the safety of others
- follow the established rules and take responsibility for their own actions

Parents

Parents play an important role in the education of their children, and can support the efforts of school staff in maintaining a safe, inclusive, accepting, and respectful learning environment for all students. Parents fulfil their role when they:

- are engaged in their child's schoolwork and progress
- communicate regularly with the school
- help their child be appropriately dressed and prepared for school
- ensure that their child attends school regularly and on time

- promptly report to the school their child's absence or late arrival
- become familiar with the provincial Code of Conduct, the board's code of conduct, and, if applicable, the school's code of conduct
- encourage and assist their child in following the rules of behaviour
- assist school staff in dealing with disciplinary issues involving their child

Community partners

Through outreach, existing partnerships may be enhanced and new partnerships with community-based service providers and members of the community (e.g., Elders, Senators, Knowledge Keepers) may also be created. Community-based service providers are resources that boards can use to deliver prevention or intervention programs. Protocols are effective ways of establishing linkages between boards and community-based service providers and of formalizing the relationship between them. These partnerships must respect all applicable collective agreements.

Police

The police play an essential role in making our schools and communities safer. The police investigate incidents in accordance with the protocol developed with the local school board. These protocols are based on the *Provincial Model for a Local Police/School Board Protocol, 2015*, developed by the Ministry of Community Safety and Correctional Services and the Ministry of Education.

Policy/Program Memorandum 124

Date of Issue: July 28, 2023

Effective: Until revoked or modified

Subject: Ontario Secondary School Diploma requirement: community involvement activities

Application: Directors of Education

Secretary of School Authorities

Principals of Secondary Schools

Principals of Provincial Schools

Effective September 1, 2023, this memorandum replaces Policy/Program Memorandum No. 124A, "Ontario Secondary School Diploma Requirement: Community Involvement Activities in English-Language Schools" and Policy/Program Memorandum No. 124B, "Conditions d'obtention du diplôme d'études secondaires : Service communautaire dans les écoles de langue française", April 27, 1999, and supersedes the policy set out in *Ontario Schools, Kindergarten to Grade 12: Policy and Program Requirements, 2016*, section 6.1.4.

Introduction

Every student who begins secondary school during or after the 1999–2000 school year must complete a minimum of 40 hours of community involvement activities as part of the requirements for an Ontario Secondary School Diploma (OSSD).

The purpose of the community involvement requirement is to encourage students to develop awareness and understanding of civic responsibility and of the role they can play and the contributions they can make in supporting and strengthening their communities. By being involved in their communities and serving others, students can develop transferable skills and explore different sectors and potential career opportunities as well as deepening their understanding of their role in society.

Community involvement activities help to prepare students for work and civic life in a globalized, digital age. Community involvement is an important educational opportunity that allows students to develop skills and experiences gained to become successful and contributing members of society now and in the future.

Community involvement activities are part of the school's program and may take place in a variety of settings, including businesses, healthcare institutions including hospitals and long-term care facilities, not-for-profit organizations, public sector institutions including the offices of local, provincial or federal representatives, First Nation, Métis and Inuit communities or organizations, and informal settings, such as religious, cultural events and community activities.

Responsibilities of school boards

Determine eligible activities:

While students are strongly encouraged to find their own type of community involvement which corresponds to their interests and talents, each school board is responsible for developing a list of community involvement activities in order to facilitate and support student involvement. Each school board is encouraged to review and update its list of eligible activities on an annual basis and to post any updated information on its website. The school board's list of eligible activities should encourage and support a wide spectrum of student interests, talents, and lived experiences, as well as being accessible for students with disabilities and/or special education needs.

The school board's list must not include activities that are designated as ineligible. The school board must develop its list of activities in consultation with the school councils in its jurisdiction, the Special Education Advisory Committee and the Indigenous Education Lead in partnership with the school board's Indigenous Education Council and the board's insurer.

Any training, equipment, or special preparation that is required for an activity must be provided by the individual or organization supervising a student's community involvement activities. Each school board must ensure that all participants, including students and the individual or organization supervising a student's community involvement activities, are adequately covered by the school board's insurance.

Develop a process for supporting students, collecting and recording hours:

School boards will develop a process and mechanism(s) for collecting, recording and validating each student's accumulation of community involvement hours, and recording accumulated hours in students' final secondary report cards annually. The school board's process must also describe how schools should transfer information about completed hours in cases where students move to a different school board before the final secondary report card is issued. School boards must also have a process for ensuring that Grade 8 students have the information necessary should they wish to complete community involvement hours in the summer before entering Grade 9.

School boards must ensure that they collect and store personal information in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* and online/digital processes must meet standards for cybersecurity and privacy of student information.

A school board's process will include that students provide their planned activities and their completed activities to the principal.

Disseminate Information:

School boards must provide information to students and parents/guardians, including Grade 8 students as part of their transition to secondary school, regarding the community involvement graduation requirement. This must include information regarding: the school board's established processes for supporting students, collecting, recording, and validating community involvement hours; eligible and ineligible activities; and the roles and responsibilities of the various participants, including students, parents/guardians, principals, schools, school boards, community organizations, and individuals or organizations who will be supervising student activities. This information must be posted on the school board's website and communicated to students and parents/guardians annually.

Responsibilities of principals

Disseminate information:

Principals will ensure that a description of the community involvement graduation requirement and an outline of the policies on, and procedures for, completing the requirement are included in the school course calendar. Principals will also ensure that students are supported in obtaining their community involvement hours, including providing information needed to complete the community involvement graduation requirement, information about the activities that can be facilitated by the school board and the activities that are ineligible, as well as copies of, or links to, the school board's information document that are to be given to the parents/guardians and to the supervising individual or organization. Consideration should be given to ensure that there are accessible activities for students with disabilities and/or special education needs.

Review students' proposed activities:

Principals are required to review and approve students' planned community involvement activities, using their school board's established processes.

If a student proposes to undertake an activity that is *not* on the school board's list of eligible activities, the principal will determine whether the student's proposed activity is acceptable, in consultation with the appropriate supervisory officer. The activity may not be on the

ministry's or school board's list of ineligible activities. The principal must keep a record of the approval or denial.

In deciding whether to approve community involvement activities, principals should consider the student's circumstances, including whether that student has an extenuating circumstance, or a disability and/or special education need.

Record completed hours and confirm when a student has met the graduation requirement:

The principal will determine whether the student has met the community involvement graduation requirement, and, if so, will indicate on the Ontario Student Transcript that the student has completed the requirement. This information is also recorded on the final secondary report card.

For secondary students who are transferring from home schooling, a non-inspected private school or a school outside of Ontario, the principal of the receiving school will determine the number of community involvement hours required for students who have successfully completed two or more years in a secondary school program.

Responsibilities of parents/guardians

Parents/guardians should provide assistance to their child in the selection of their community involvement activities. Parents/guardians are also encouraged to communicate with the individual or organization supervising a student's community involvement activities and the school principal if they have any questions or concerns.

Parents/guardians of students who are under the age of eighteen years must verify their students' community involvement hours using the school board's approval and verification processes.

Responsibilities of the supervising individual or organization

The individual or organization supervising a student's community involvement activities must provide any training, equipment, or special preparation that is required for the activity. It is crucial that students are able to fulfil their community involvement requirement in a safe environment. The supervising individual or organization must verify the date(s) and the number of hours completed by the student.

When supervising a student with disabilities and/or special education needs, the individual or organization must ensure that a student receives any necessary accommodations and support to participate in the activities fully. Consultation with the student, their parents/guardians, and any relevant professionals may be required to determine the best approach to supporting their community involvement activities.

Procedures for students**Complete activities to fulfill the graduation requirement:**

Students may complete the 40 hours of community involvement activities at any time during their secondary school program. Students in Grade 8 may start accumulating community involvement hours in the summer before they enter Grade 9.

Students may complete any number of eligible activities, as long as those activities result in the completion of 40 hours of community involvement. Students under the age of eighteen years will plan and select their community involvement activities in consultation with their parents/guardians.

Students must obtain approval from their principal, using their school boards established processes, before participating in community involvement activities. Students may not select an activity that is on the ministry's or board's list of ineligible activities. If the activity is not on the school board's list of approved activities, the student will be required to obtain approval from the principal. The student will submit the request in the manner that has been established by the school board.

A student under the age of eighteen must consult with their parents/guardians, and must also have one parent approve their activities and submit it to the principal or to another school contact designated by the principal (for example, the student's teacher-adviser).

Share information on the community involvement graduation requirement:

Principals will ensure that students receive the school board's information. Students will share this information with their parents/guardians and individuals or organizations who will be supervising their community involvement activities.

When the activity is completed, the student, parents/guardians (for students under 18) and the individual or organization who supervised the community involvement activities must submit to the principal the required information using school board processes to verify that the activity has been completed. The student must submit to the principal or other school contact upon completion of the 40 hours, or at appropriate intervals determined by the principal.

Ineligible activities

The ministry has developed a list of activities that may not be chosen as community involvement activities. These are referred to as ineligible activities.

An ineligible activity is an activity that:

- is a requirement of a class, course, or program in which the student is enrolled (e.g., cooperative education course, experiential learning activities)
- takes place during the time allotted for the instructional program on a school day. However, an activity that takes place during the student's lunch breaks or "spare" periods is permissible
- contravenes the minimum age requirements to work in or visit a workplace stated in regulations made under the *Occupational Health and Safety Act*
- contravenes any other applicable legislation, regulation or policy
- contravenes the policies and procedures of the organization that is supervising the student's community involvement activities
- would normally be performed for wages by a person in the workplace
- involves the operation of a vehicle, power tools, or scaffolding
- involves the administration of any type or form of medication or medical procedure to other persons
- involves handling of substances classed as "designated substances" under the *Occupational Health and Safety Act*
- requires the knowledge of a tradesperson whose trade is regulated by the provincial government
- involves banking, the handling of securities, or the handling of valuable items such as jewellery, works of art, or antiques
- consists of duties normally performed in the home (i.e., daily chores) or personal recreational activities
- involves activities for a court-ordered program (e.g., community-service program for young offenders, probationary program)
- involves activities that promote discrimination, harassment, or puts the safety of the student or others at risk.

Policy/Program Memorandum 123

Date of Issue: February 2, 1999

Effective: Until revoked or modified

Subject: Safe arrivals

Application: Chairs of District School Boards and School Authorities

Directors of Education

Secretaries of School Authorities

Director of Provincial Schools Branch

Principals of Schools

Purpose

A safe-arrival program is a system of procedures which are performed together with daily school attendance taking. Parents and guardians are responsible for their children's safety. Safe-arrival programs are a mechanism that parents and schools can use to account for any pupil's unexplained failure to arrive at school.

While recognizing that many exemplary programs are currently in place, this memorandum seeks to encourage safe-arrival programs in all elementary schools in Ontario. It suggests the exercise of local discretion in the design and implementation of the programs in order to take

into account the unique circumstances of every school. Such unique circumstances may include, but are not limited to, the number of staff available to implement policies, the size of the student body, and the age of the pupils, as well as the geographic conditions in the vicinity of the school, the kind of transportation used by pupils to travel to school, and the communication methods available in the area.

This policy/program memorandum is not intended to alter the law as it exists with respect to any duty of care or standard of care of school boards, school authorities, directors of education, principals, teachers, Director of Provincial Schools Branch, or other officials and staff.

Policy and objectives

In order to promote the safety of our pupils, each district school board, each school authority, and the Provincial Schools Branch are requested to develop a policy statement applying to each elementary school within their jurisdiction for the development and implementation of a safe-arrival program. It is suggested that the policy statement be issued by May 31, 1999, for schools to begin implementation of a program at the start of the 1999-2000 school year with full implementation by the end of October 1999.

This policy is intended to provide that:

- all elementary schools have procedures in place that are conducted in conjunction with daily school attendance-taking procedures and that aim to account for any pupil's unexplained failure to arrive at school through reasonable efforts to make timely contact with parents, guardians, or caregivers
- safe-arrival programs are developed and implemented by schools with advice from school councils, band councils, parents, volunteers, and other community members
- the design of specific procedures reflects local needs and the particular circumstances of the school and the community
- schools, parents, school councils, band councils, and communities work cooperatively for the successful development and implementation of safe-arrival programs
- safe-arrival programs are designed to be flexible, with a view to achieving overall effectiveness, efficiency, and economy

Guidance on the design of safe-arrival programs

It is suggested that safe-arrival programs be designed to reflect the following characteristics with respect to program delivery and information and communications. The following characteristics are intended to provide guidance in the design of any safe-arrival programs that are developed.

Program delivery

- The program should be delivered in a manner that complements other school and community safety programs and initiatives.
- The roles and responsibilities of parents, pupils, the school, school councils, volunteers, and others should be clearly identified and documented, and broadly communicated to all those who have an interest in safe-arrival programs.
- The roles and responsibilities of parents and guardians, at a minimum, could be defined as involving the following:
 - parents and guardians are responsible for their children's safety. Safe-arrival programs are a mechanism that parents and schools can use to account for any pupil's unexplained failure to arrive at school
 - parents, guardians, and caregivers are responsible for communicating planned pupil absences or lateness to the school on a timely basis. Their reports could be reconciled with information obtained through classroom attendance-taking procedures to identify any unexplained absences that require prompt follow-up contacts
 - parents, guardians, and caregivers are responsible for providing the school with complete and current emergency information to enable the school to make any necessary follow-up contacts
- Programs should take into account both normal, recurring circumstances and unusual events and conditions. For example, regular procedures could be modified on days when pupils are likely to arrive late because of inclement weather or bus cancellations.
- Programs should take into account that a language other than the language of instruction may be used in the absent pupil's home.
- Programs should specify the steps that are to be taken when a follow-up contact cannot reasonably be made.
- Individuals involved in delivering the safe-arrival program should receive appropriate training and supervision.
- Programs should be reviewed periodically to confirm their effectiveness.

- Parents and volunteers can make a tremendous contribution to the delivery of these programs. Efforts should be made to develop this potential and to enlist the aid of parents and volunteers to help reduce demands on the time of school administrative staff.

Information and communications

- Information about the scope and features of the school's safe-arrival program, and about the roles and responsibilities of all interested parties, should be communicated clearly and effectively by the principal to school staff, parents, guardians, caregivers, pupils, school councils, and all volunteers and others in the community who have an interest in the matter.
- There should be a reliable method for parents, guardians, and caregivers to communicate planned pupil absences or lateness to the school on a timely basis, particularly outside school hours. For example, a voice-messaging system and, if appropriate, a telephone device for the deaf (TTY/TDD) may have to be installed.
- A reliable system of documenting key information could be developed and maintained. Subject to the *Municipal Freedom of Information and Protection of Privacy Act*, key information could include:
 - a log of calls from parents or others who report absences or lateness
 - names and current telephone numbers, in order of priority, of parents, guardians, caregivers, or other individuals to be notified in case of an unexplained pupil absence
 - parental consent for school staff and/or volunteers to make these contacts, in accordance with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act*
 - a log of actions taken by school staff in accordance with the provisions of the safe-arrival program

Policy/Program Memorandum 120

Date of Issue: May 16, 2011

Effective: Until revoked or modified

Subject: Reporting violent incidents to the Ministry of Education

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools

References: This memorandum replaces Policy/Program Memorandum No. 120, June 1, 1994, and revokes the document *Violence-Free Schools Policy, 1994*.

Introduction

The purpose of this memorandum is to provide direction to school boards^[1] on the development of procedures for reporting violent incidents to the Ministry of Education. Boards are required to have these procedures in place by September 1, 2011.

Research shows that violence in schools can affect the social, psychological, and physical well-being of students, as well as the learning process. Students who experience violence in school are more likely to report feelings of social isolation, depression, and frustration, and to demonstrate decreased engagement in school.^[2] Research also shows that it is important to monitor the occurrence of violent incidents in order to obtain accurate data on which to base policies and planning.^[3]

Requirements for boards

Reporting of violent incidents

Boards are required to report the total number of violent incidents on an annual basis to the Ministry of Education through the Ontario School Information System (OnSIS). All violent incidents that occur on school premises during school-run programs must be reported to the ministry, whether the violent incident was committed by a student of the school or whether it was committed by any other person.

For the purposes of this memorandum, the term *violent incident* is defined as the occurrence of any one of the following *or* the occurrence of a combination of any of the following:^[4]

- possessing a weapon, including possessing a firearm
- physical assault causing bodily harm requiring medical attention
- sexual assault
- robbery
- using a weapon to cause or to threaten bodily harm to another person
- extortion
- hate and/or bias-motivated occurrences

Boards must follow the direction in *Provincial Model for a Local Police/School Board Protocol, 2011* regarding notification of the police if any of the above violent incidents occurs.^[5]

In circumstances where board employees have reason to believe that a student may be in need of protection, they are required to call a children's aid society, in accordance with the requirements of the Child and Family Services Act.^[6]

Ongoing monitoring by boards

Boards are also required to collect and analyse data on the nature of violent incidents to support the development of board policies and to inform board and school improvement plans.

Policy/Program Memorandum 119

Date of Issue: April 22, 2013

Effective: Until revoked or modified

Subject: Developing and implementing equity and inclusive education policies in Ontario schools

Application: Directors of Education

Secretary-Treasurers of School Authorities Superintendents

Principals of Elementary Schools Principals of Secondary Schools

Principals of Provincial and Demonstration Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 119, "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools", June 24, 2009.

Introduction

Ontario's publicly funded education system supports and reflects the democratic values of fairness, equity, and respect for all. Recognizing the importance of education, the Ontario government has established three core priorities:

- high levels of student achievement
- reduced gaps in student achievement
- increased public confidence in publicly funded education

An equitable, inclusive education system is fundamental to achieving these core priorities, and is recognized internationally as critical to delivering a high-quality education for all learners. "Equity and excellence go hand in hand. ... In a truly equitable system, factors such as race, gender, and socio-economic status do not prevent students from achieving ambitious outcomes. Our experience shows that barriers can be removed when all education partners create the conditions needed for success."^[1]

Providing a high-quality education for all is a key means of fostering social cohesion based on an inclusive society where diversity is affirmed within a framework of common values that promote the well-being of all citizens. Ontarians share a belief in the need to develop students' character and to prepare students for their role in society as engaged, productive, and responsible citizens. Active and engaged citizens are aware of their rights, but more importantly, they accept responsibility for protecting their rights and the rights of others.

On April 6, 2009, the Minister of Education released *Realizing the Promise of Diversity: Ontario's Equity and Inclusive Education Strategy* (hereafter referred to as "the strategy"). This document sets out a vision for an equitable and inclusive education system. The action plan contained in the document focuses on respecting diversity, promoting inclusive education, and identifying and eliminating discriminatory biases, systemic barriers, and power dynamics that limit students' learning, growth, and contribution to society. These barriers and biases, whether overt or subtle, intentional or unintentional, need to be identified and addressed.

The purpose of this memorandum is to provide direction to school boards^[2] on the review, development, implementation, and monitoring of equity and inclusive education policies to support student achievement and well-being. Our schools need to help students develop into highly skilled, knowledgeable, and caring citizens who can contribute to both a strong economy and a cohesive society.

Background

The ministry has issued several policy/program memoranda to support equity, student achievement, and positive school climates, including Policy/Program Memorandum No. 119, "Development and Implementation of School Board Policies on Antiracism and Ethnocultural Equity", July 13, 1993.^[3] When No. 119 (1993) was issued, many boards focused on creating learning environments that respected the cultures of all students. The antiracism and ethnocultural policies contained in No. 119 (1993) went "beyond a broad focus on multiculturalism and race relations"^[4] to focus on identifying and changing institutional policies and procedures, as well as individual behaviours and practices that may be racist in their impact. No. 119 (1993) sought to equip students with the knowledge, skills, and attitudes to live in an increasingly diverse world, appreciate diversity, and reject discriminatory behaviours and attitudes. Several boards have expanded these antiracism and ethnocultural policies into more inclusive equity policies that address a broader range of discriminatory factors.

In addition, it is now recognized that such factors as race, sexual orientation, physical or mental disability, gender, and class can intersect to create additional barriers for some students. Many organizations, including the United Nations, are recognizing the compounding impact of such intersections on discrimination. Ministry and board policies, therefore, should also take intersecting factors into account.

Although much has been done – and continues to be done – to build the publicly funded education system's capacity to foster equity and inclusiveness in boards and schools, evidence indicates that some groups of students continue to encounter discriminatory barriers to learning. Recent research shows that students who feel connected to teachers, to other students, and to the school itself do better academically.^[5]

Policy/Program Memorandum No. 119 (2009) broadened the scope of No. 119 (1993) to take into account a wide range of equity factors, as well as all of the prohibited grounds of discrimination under the Ontario Human Rights Code and other similar considerations. No. 119 (2009) fully supported and expanded on the principles of antiracism and ethnocultural equity that were outlined in No. 119 (1993), and did not reflect a weakened or reduced commitment to antiracism or ethnocultural equity. By promoting a system-wide approach to identifying and removing discriminatory biases and systemic barriers, it has helped to ensure that all students feel welcomed and accepted in school life.

This memorandum brings No. 119 (2009) up to date so that it is in accordance with amendments to the Education Act; that is, school boards are now required to develop and implement an equity and inclusive education policy. This memorandum also updates No. 119 (2009) to reflect the fact that gender identity and gender expression are dimensions of diversity under the Ontario Human Rights Code.

Requirements for boards

All publicly funded school boards are required to develop, implement, and monitor an equity and inclusive education policy that includes a religious accommodation guideline, in accordance with the requirements set out in this memorandum and the strategy, and that complies with relevant legislation, including amendments to the Education Act.^[6]

The strategy is designed to promote fundamental human rights as described in the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms, with which school boards are already required to comply, subject to subsection 93(1) of the Constitution Act, 1867, and section 23 of the Canadian Charter of Rights and Freedoms. Boards must comply with all other aspects of the Education Act and regulations made under the act, including Ontario Regulation 181/98, which pertains to students with special education needs.^[7] Boards must also comply with the Municipal Freedom of Information and Protection of Privacy Act, the Ontarians with Disabilities Act (2001), and the Accessibility for Ontarians with Disabilities Act (2005), as applicable. Other relevant legislation, such as the Youth Criminal Justice Act, must be referenced where appropriate. In addition, boards should refer to *English Language Learners / ESL and ELD Programs and Services: Policies and Procedures for Ontario Elementary and Secondary Schools, Kindergarten to Grade 12*, 2007; Ontario's Aménagement linguistique Policy for French-Language Education, 2005;^[8] and *Ontario First Nation, Métis, and Inuit Education Policy Framework*, 2007. They should also consult with their legal counsel and Freedom of Information coordinators to ensure that they are fulfilling all their legal responsibilities.

The equity and inclusive education policy of a board must address the eight areas of focus outlined in this memorandum, and must include a guideline on religious accommodation and an implementation plan. During the cyclical process of reviewing and revising their policies, boards will take steps to align all their other policies and procedures (e.g., on safe and accepting schools, student discipline, staff hiring and development) with their equity and inclusive education policy. This process will help to ensure that the principles of equity and inclusive education are embedded in all aspects of board and school operations.

School board policies must be comprehensive and must cover the prohibited grounds of discrimination set out in the Ontario Human Rights Code. The code prohibits discrimination on any of the following grounds: race, colour, ancestry, place of origin, citizenship, ethnic origin, disability, creed (e.g., religion), sex, sexual orientation, gender identity, gender expression, age, family status, and marital status. Boards may also address related issues resulting from the intersection of the dimensions of diversity that can also act as a systemic barrier to student learning.

Policy development

Equity and inclusive education policies and implementation plans will be consistent with the guiding principles and goals set out in the strategy, with the requirements in this memorandum, and with the revised ministry document entitled *Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation, 2013* (hereafter referred to as “the guidelines”). These three documents should be used together when boards are reviewing and/or developing and implementing their equity and inclusive education policy, and when conducting their cyclical reviews of all their other policies.

When reviewing or developing their equity and inclusive education policy, boards are^[9] expected to consult widely with students, parents, principals, teachers and other staff, school councils, their Special Education Advisory Committee, their Parent Involvement Committee and other committees (e.g., Diversity Committee; First Nation, Métis, and Inuit Education Advisory Committee), federations and unions, service organizations, and community partners in order to reflect the diversity of the community.

Boards have flexibility to adapt their equity and inclusive education policy to take into account local needs and circumstances.

Areas of focus

The three goals of the equity and inclusive education strategy are as follows:

- shared and committed leadership by the ministry, boards, and schools to eliminate discrimination through the identification and removal of biases and barriers
- equity and inclusive education policies and practices to support positive learning environments that are respectful and welcoming to all
- accountability and transparency with ongoing progress demonstrated and communicated to the ministry and the community

In order to achieve these goals, each school board policy on equity and inclusive education will cover the following eight areas of focus.

Board policies, programs, guidelines, and practices

Through cyclical policy reviews, boards will embed the principles of equity and inclusive education in all their other policies, programs, guidelines, and practices, so that an equity and inclusive education focus is an integral part of every board's operations and permeates everything that happens in its schools.

Boards should make every effort to identify and remove discriminatory biases and systemic barriers that may limit the opportunities of individuals from diverse communities for employment, mentoring, retention, promotion, and succession planning in all board and school positions. The board's work force should reflect the diversity within the community so that students, parents, and community members are able to see themselves represented. The board's work force should also be capable of understanding and responding to the experiences of the diverse communities within the board's jurisdiction.

Shared and committed leadership

Board and school leaders must be responsive to the diverse nature of Ontario's communities. Leadership is second only to teaching in its impact on student outcomes. School boards and schools are expected to provide leadership that is committed to identifying and removing discriminatory biases and systemic barriers to learning. Specifically, boards will identify a contact person to liaise with the ministry and other boards to share challenges, promising practices, and resources.

In accordance with the principles of the ministry's Ontario Leadership Strategy, effective board and school leaders promote the development of collaborative environments in which participants share a commitment to equity and inclusive education principles and

practices. This collaborative approach includes and supports the active engagement of students, parents, federations and unions, colleges and universities, service organizations, and other community partners.

School–community relationships

Schools and boards will continue building their capacity – with the active engagement of parents and school community partners – to create and sustain a positive school climate that supports student achievement and well-being. Each board and its schools should review the structures of existing committees and partnerships to help ensure that they reflect the principles of equity and inclusive education. Boards should expand upon their outreach efforts in order to foster new partnerships that engage a cross-section of diverse students, parents, staff, community members, and various organizations, including business groups (e.g., business education councils). Boards are encouraged to draw upon the expertise of their partners to explore innovative ways of sharing resources that can help them meet the diverse needs of their students and provide new and relevant learning opportunities. Strong, positive, and respectful relationships are necessary to effect real change so that all students can reach their potential regardless of personal circumstances.

Inclusive curriculum and assessment practices

Students need to feel engaged in and empowered by what they are learning, supported by teachers and staff, and welcome in their learning environment. To this end, boards and their schools will use inclusive curriculum and assessment practices and effective instructional strategies that reflect the diverse needs of all students and the learning pathways that they are taking. Schools must provide students and staff with authentic and relevant opportunities to learn about diverse histories, cultures, and perspectives. Students should be able to see themselves represented in the curriculum, programs, and culture of the school. Also, since schools have a pivotal role in developing the work force of tomorrow, students should be able to see themselves represented in the teaching, administrative, and support staff employed at the school.

Boards are expected to draw upon strategies that have been shown by the evidence to support student success and reduce achievement gaps. These include reviewing resources, instruction, and assessment and evaluation practices to identify and eliminate stereotypes, discriminatory biases, and systemic barriers. For example, schools could make use of differentiated instruction, which takes into account the backgrounds and experiences of students in order to respond to their individual interests, aptitudes, and learning needs.

In order to help ensure that assessment and evaluation are valid and reliable and lead to improvement of student learning, teachers must use assessment and evaluation strategies outlined in the assessment and evaluation section of the curriculum policy documents. Assessment tasks should be designed to ensure consistency of standards, and any discriminatory biases in the way students' work is assessed and evaluated should be identified and addressed.

Religious accommodation

School board policies on religious accommodation must be in accordance with the Ontario Human Rights Code and the requirements stated in Policy/Program Memorandum No. 108, "Opening or Closing Exercises in Public Elementary and Secondary Schools", and in sections 27–29 ("Religion in Schools") of Regulation 298. As part of their equity and inclusive education policy and implementation plan, boards will include a religious accommodation guideline in keeping with the Ontario Human Rights Code, which prohibits discrimination on the grounds of creed (e.g., religion) and imposes a duty to accommodate.^[10] Accordingly, boards are expected to take appropriate steps to provide religious accommodation for students and staff.

School climate and the prevention of discrimination and harassment

Board policies on equity and inclusive education are designed to foster a positive school climate that is free from discriminatory or harassing behaviour. A positive and inclusive school climate is one where all members of the school community feel safe, included, welcomed, and accepted. The principles of equity and inclusive education support a whole-school approach to foster positive student behaviour. These principles must also be applied in progressive discipline, particularly when it is necessary to take into account mitigating and other factors.^[11] When relationships are founded on mutual respect, a culture of respect becomes the norm. Boards will also put procedures in place that will enable students and staff to report incidents of discrimination and harassment safely, and that will enable boards to respond in a timely manner.

Regular school and board monitoring of school climate is essential. Monitoring through school climate surveys, as outlined in Policy/Program Memorandum No. 144, "Bullying Prevention and Intervention", can help identify inappropriate behaviours, barriers, or issues that should be addressed. Boards are therefore expected to incorporate questions on equity and inclusive education in their school climate surveys. Boards must require schools to conduct anonymous school climate surveys of their students and staff and the parents of their students at least once every two years, in accordance with subsection 169.1(2.1) of the Education Act.

Professional learning

Professional learning activities must be ongoing, evidence-based, and focused on positive outcomes. Boards will therefore provide opportunities for teachers (including guidance counsellors), support staff, administrators, and trustees to participate in training on topics such as antiracism, antidiscrimination, and gender-based violence, and will provide information for students and parents to increase their knowledge and understanding of equity and inclusive education. Boards are also encouraged to draw upon existing expertise within their own organization, other boards, and their own community partners and agencies. Changing individual and collective behaviour, as well as organizational and institutional practices, will help to ensure that the education system is free from discrimination.

Accountability and transparency

Ongoing and open communication to keep all stakeholders informed of a board's goals and progress will increase transparency and public confidence in the board and its schools. It is expected that boards will post their equity and inclusive education policy on their website.

Board and school improvement plans, within the context of a board's strategic multi-year plan, will take into consideration the board's equity and inclusive education policy. The plans should focus on identifying and removing any barriers to student learning in order to reduce gaps in achievement and provide a respectful and responsive school climate.

Each board will post the Director of Education's annual report on its website, which will inform the ministry and the local community about the progress the board has made in meeting its strategic objectives in the previous school year and the action the board is taking in those strategic priority areas where goals are not being met.

Implementation

The ministry recognizes that school boards are at different stages in the implementation of an equity and inclusive education policy. The ministry expects boards to demonstrate continuous improvement, so that progress is evident on an annual basis towards the goal of embedding the equity and inclusive education policy into all operations of the board.

Implementation plans will:

- contain clearly stated annual objectives and measurable outcomes at both the board and school levels
- reflect consultation with community partners, and show evidence of active and ongoing partnerships with students, parents, and diverse communities
- contain indicators for measuring and evaluating progress

Resources

To support boards in developing, implementing, and monitoring their policy on equity and inclusive education, the ministry is providing practical strategies, advice, and templates in the guidelines. The ministry will also review and conduct research on promising practices in equity and inclusive education, and will disseminate this information to boards.

Appendix: Definitions

The following definitions are included for the purposes of this policy/program memorandum only.

Diversity: The presence of a wide range of human qualities and attributes within a group, organization, or society. The dimensions of diversity include, but are not limited to, ancestry, culture, ethnicity, gender, gender identity, gender expression, language, physical and intellectual ability, race, religion, sex, sexual orientation, and socio-economic status.

Equity: A condition or state of fair, inclusive, and respectful treatment of all people. Equity does not mean treating people the same without regard for individual differences.

Inclusive Education: Education that is based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings, and the broader environment, in which diversity is honoured and all individuals are respected.

- Ontario's equity and inclusive education strategy (<https://www.ontario.ca/page/ontarios-equity-and-inclusive-education-strategy-2009>) (PDF, 2.4 Mb)

Policy/Program Memorandum 118

Date of Issue: April 28, 1993

Effective: Until revoked or modified

Subject: Religious education programs offered in inspected private secondary schools

Application: Directors of Education

Principals of Public Secondary Schools

Principals of Roman Catholic Secondary Schools

Principals of Inspected Private Secondary Schools

Beginning in September 1993, inspected private secondary schools may offer programs in religious education in Grades 9 and 10 that can be applied towards an Ontario Secondary School Diploma (OSSD) (<http://www.edu.gov.on.ca/eng/document/curricul/secondary/oss/oss.html>).

Since there are no ministry curriculum guidelines for such programs, a private school must submit a detailed description of its proposed program to the appropriate regional office of the Ministry of Education and Training for approval. To be approved, the program must meet the requirements outlined in section 6.9 of *Ontario Schools, Intermediate and Senior Divisions (Grades 7-12/OACs): Program and Diploma Requirements, 1989* (OSIS).

Where a religious education program has received approval, the following conditions apply to it:

- a. although the Grade 9 program is not to be organized into credit-bearing courses beginning in September 1993, principals of inspected private secondary schools may include consideration of religious education programs when determining the equivalent credit value of the Grade 9 program (see sections 1.4 and 1.5 of *Transition Years, Grades 7, 8, and 9: Policies and Program Requirements, 1992*). A student may earn no more than the equivalent credit value of one credit in religious education as part of the Grade 9 program
- b. a student may earn no more than one credit in religious education in Grade 10

Inspected private secondary schools that are offering non-credit courses in religious education in Grade 9, in Grade 10, or in both grades in the 1992-93 school year may be given retroactive approval of these courses as non-guideline credit courses for 1992-93. To be approved, these courses must meet the requirements stated in section 6.9 of OSIS. If approved, such courses may be assigned a maximum of one credit towards an OSSD in each of Grades 9 and 10 for the 1992-93 school year only. If a private school wishes to seek approval of such courses, it must submit a detailed description of them to the appropriate regional office of the Ministry of Education and Training by May 30, 1993.

None of the above conditions applies to the World Religions courses provided for in the curriculum guideline *History and Contemporary Studies, Part C: Senior Division, Grades 11 and 12, 1987*. Courses developed from this guideline do not require approval as non-guideline courses.

Further information is available from any of the regional offices of the Ministry of Education and Training, which are listed below:

Central Ontario Region
2025 Sheppard Avenue East
Suite 3201
North York, Ontario
M2J 1W4

Tel: 416-491-0330

Eastern Ontario Region
1580 Merivale Road
4th Floor
Nepean, Ontario
K2G 4B5

Tel: 613-225-9210

Midnorthern Ontario Region
199 Larch Street
7th Floor
Sudbury, Ontario
P3E 5P9

Tel: 705-675-4401
.....

Northeastern Ontario Region
447 McKeown Avenue
P.O. Box 3020
North Bay, Ontario
P1B 8K7

Tel: 705-474-7210
.....

Northwestern Ontario Region
435 James Street South
P.O. Box 5000
Thunder Bay, Ontario
P7C 5G6

Tel: 807-475-1571
.....

Western Ontario Region
759 Hyde Park Road
London, Ontario
N6H 3S6

Tel: 519-472-1440
.....

Policy/Program Memorandum 117

Date of Issue: April 16, 1993

Effective: Until revoked or modified

Subject: Access to information on secondary school, programs and to guidance services between coterminous school boards

Application: Directors of Education
Principals of Schools

Introduction

Subsections 1 and 2 of section 144 of the Education Act (Revised Statutes of Ontario, 1990, Chapter E.2) state the following:

1. a person who is qualified to be a resident pupil of a public board and to receive instruction in a secondary school grade is entitled to receive instruction provided in a secondary school operated by a Roman Catholic school board if the area of jurisdiction of the public board is in whole or in part the same as the area of jurisdiction of the Roman Catholic school board
2. a person who is qualified to be a resident pupil of a Roman Catholic school board and to receive instruction in a secondary school grade is entitled to receive instruction provided in a secondary school operated by a public board if the area of jurisdiction of the Roman Catholic school board is in whole or in part the same as the area of jurisdiction of the public board

All school boards must, therefore, make provisions to ensure that information on the schools operated by the coterminous board and on the programs offered by the coterminous board is available in their elementary schools, since pupils and their parents must have an opportunity to learn about the secondary schools and programs of the coterminous board in order to make an informed decision. In addition, pupils and their parents must have access to the guidance and/or other appropriate personnel of the coterminous board so that they can receive assistance with educational planning.

Policy on access to information and guidance services

1. *access to information on school programs*

each coterminous public and Roman Catholic school board shall:

- a. provide materials containing information on the secondary schools of the board to the board of the other system
- b. distribute materials containing information on programs available in the secondary schools of the other system to each Grade 8 pupil who attends a local elementary school in the board's jurisdiction and to the parent(s) of each Grade 8 pupil

2. *access to guidance and / or other personnel*

each coterminous public and Roman Catholic school board shall:

- a. inform Grade 8 pupils and their parents about how to contact guidance personnel and/or other appropriate personnel in the secondary schools of the other system
- b. allow guidance and/or other appropriate personnel representing the secondary schools in the other system to meet with all Grade 8 pupils and their parents to discuss school and program options

3. *timeliness of access*

school boards shall ensure that Grade 8 pupils and their parents have access to information on secondary schools and programs and to guidance and/or other appropriate personnel of the coterminous board **before** decisions regarding program and/or school selection have to be made every year

Clarification and implementation of policy

Staff members of the regional offices of the Ministry of Education and Training are available to clarify the policy, if necessary. In the event that disagreements regarding implementation occur between coterminous school boards, either school board may refer the matter to the appropriate regional office for resolution.

Policy/Program Memorandum 108

Date of Issue: January 12, 1989

Effective: Until revoked or modified

Subject: Opening or closing exercises in public elementary and secondary schools

Application: Chairpersons of Boards of Education
Directors of Education of Boards of Education
Principals of Public Elementary and Secondary Schools

Background

The decision of the Ontario Court of Appeal, dated September 23, 1988, struck down subsection 28 (1) of Regulation 262 concerning religious exercises in public elementary schools. This subsection, and the decision of the Court relating to it, did not apply to schools operated by separate school boards.

The spirit of the decision of the Court of Appeal was essentially that one religion must not be given a position of primacy and that the content of opening or closing exercises must reflect the multicultural realities and traditions of Ontario society.

Subsequent to the Court ruling, an interim policy, dated September 28, 1988, was established, whereby opening or closing exercises were made optional for school boards. In schools where such exercises were to be held, however, "O Canada" and content that reflected the spirit of the ruling of the Court of Appeal were required.

This interim policy was intended to remain in effect only until policy considerations were finalized and amendments to Regulation 262 were adopted.

Amendments to Regulation 262

A copy of the amendments to Regulation 262 relating to opening or closing exercises accompanies this memorandum. The amendments provide for a new section 4. Subsections 28(1), (2), and (3), and subsections 29(1), (2), and (3), as well as other references to "religious exercises" in sections 28 and 29, are deleted.

The following points summarize the content of the new section 4:

1. all public elementary and secondary schools in Ontario must be opened or closed each day with the national anthem. "God Save the Queen" may be included
2. the inclusion of any content beyond "O Canada" in opening or closing exercises is to be optional for public school boards
3. where public school boards resolve to include, in the opening or closing exercises in their schools, anything in addition to the content set out in item 1 above, it must be composed of either or both of the following:
 - a. one or more readings that impart social, moral, or spiritual values and that are representative of our multicultural society. Readings may be chosen from both scriptural writings, including prayers, and secular writings
 - b. a period of silence
4. parents who object to part or all of the exercises may apply to the principal to have their children exempted. Pupils who are adults may also exercise such a right

Implementation

When implementing the amendments listed above, school boards should take particular note of the following:

1. *purposes*
the purposes of opening or closing exercises are patriotic and educational. Such exercises are intended to nurture allegiance to Canada and to contribute to the social, moral, and spiritual development of the pupils
contributing to the social, moral, and spiritual development of pupils includes reinforcing the positive societal values that, in general, Canadians hold and regard as essential to the well-being of our society. These values transcend cultures and faiths, reinforce democratic rights and responsibilities, and are based on a fundamental belief in the worth of all persons
2. *readings*
readings selected for opening or closing exercises must fulfil educational purposes
since the social, moral, and spiritual development of Canadians has roots in many religious and philosophical traditions, readings must be drawn from a variety of scriptural and secular sources representative of our multicultural society. Prayers, including the "Lord's Prayer", may be included, but only as readings
the collective recitation of a specific reading from a particular religious tradition can no longer be permitted, as such a practice is not in accordance with the *Canadian Charter of Rights and Freedoms*
3. *period of Silence*
a period of silence is intended to be used for such activities as personal reflection or individual silent prayer

Regulation to amend regulation 262 of revised regulations of Ontario, 1980 made under the Education Act

1. section 4 of Regulation 262 of Revised Regulations of Ontario, 1980 is revoked and the following substituted therefor:
opening or Closing Exercises
4.(1) every public elementary and secondary school shall hold opening or closing exercises
(2) opening or closing exercises shall include O Canada and may include God Save the Queen
(3) opening or closing exercises may include the following types of readings that impart social, moral or spiritual values and that are representative of Ontario's multicultural society:
 1. scriptural writings including prayers
 2. secular writings
 (4) opening or closing exercises may include a period of silence
(5) no pupil enrolled in a public elementary or secondary school shall be required to take part in any opening or closing exercises where a parent or guardian of the pupil or the pupil, where the pupil is an adult, applies to the principal of the school that the pupil attends for exemption therefrom
2. (1) the heading to section 28 of the said Regulation is revoked and the following substituted therefor:
religious education in public schools
(2) subsection 28(1), subsection 28(2), as remade by section 21 of Ontario Regulation 617/81, and subsection 28(3) of the said Regulation are revoked
(3) subsection 28(4) of the said Regulation is amended by striking out "in addition to the time assigned to religious exercises at the opening or closing of a public school" in the first, second and third lines and inserting in lieu thereof "in each public school"

- (4) subsection 28(10) of the said Regulation, as remade by section 21 of Ontario Regulation 617/81, is amended by striking out "any religious exercises or" in the first and second lines and by striking out "of the pupil" in the fifth line
- (5) subsection 28(11) of the said Regulation, as remade by section 21 of Ontario Regulation 617/81, is amended by striking out "religious exercises are being held or" in the fifth and sixth lines and inserting after "education" in the sixth line "is being"
- (6) subsection 28(12) of the said Regulation, as remade by section 21 of Ontario Regulation 617/81, is amended by striking out "religious exercises or" in the fifth and sixth lines
- (7) subsection 28(13) of the said Regulation, as remade by section 21 of Ontario Regulation 617/81, is amended by striking but "religious exercises or" where it occurs in the first, second and fourth lines
3. (1) the Heading to section 29 of the said Regulation is revoked and the following substituted therefor:
religious education in secondary schools
- (2) subsection 29(1), subsection 29(2) as remade by section 22 of Ontario Regulation 617/81, and subsection 29(3) of the said Regulation are revoked
- (3) subsection 29(8) of the said Regulation is amended by striking out "taking part in religious exercises or" in the third line and by striking out "exercises or" in the fifth line
- (4) subsection 29(9) of the said Regulation is revoked

Terms of reference one-person ministerial inquiry on religious education in Ontario public elementary schools

Whereas section 28(4) of Regulation 262 made under the Education Act requires Ontario public elementary schools to conduct two half-hour periods each week of religious education, and in view of recent interpretations of the *Canadian Charter of Rights and Freedoms*, the Minister of Education will appoint a one-person inquiry to:

- review the existing policy with respect to religious education
- identify curriculum options for an appropriate religious education policy for the public elementary schools which responds to the multicultural and multifaith nature of the population of the province
- identify appropriate teacher preparation strategies to support the proposed curriculum options
- examine religious education policies of other Canadian provinces
- examine the 1969 Report of the Committee on Religious Education in the Public Schools of Ontario and reports of other similarly-mandate inquiries from other Canadian provinces
- conduct extensive consultation with interested parties
- make recommendations to the Minister of Education with regard to the adoption of a religious education program policy

The one-person ministerial inquiry shall make-its report and recommendations to the minister on or before January 31, 1990.

Policy/Program Memorandum 89

Date of Issue: February 6, 1990

Effective: Until revoked or modified

Subject: The residential demonstration schools for students with learning disabilities: general information and details of the referral process

Application: Directors of Education
Principals of Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 89, March 31, 1988.

General information

It is the responsibility of school boards to provide appropriate educational programs for pupils with learning disabilities. There exists, however, a small group of pupils with severe learning disabilities who require the facilities of a residential school.

The Ministry of Education provides the services of three demonstration schools in Ontario for English-speaking pupils with severe learning disabilities. These are the Robarts School in London, the Sagonaska School in Belleville, and the Trillium School in Milton. The catchment area for the Robarts School includes the following:

- Western Ontario Region
- Northwestern Ontario Region
- Brant, Haldimand, and Norfolk counties of the Central Ontario Region

The catchment of the Sagonaska School includes the following:

- Eastern Ontario Region
- Northeastern Ontario Region
- Durham, Haliburton, Hastings, Northumberland and Newcastle, Peterborough, Prince Edward, and Victoria counties of the Central Ontario region

The catchment area of the Trillium School includes the following:

- Midnorthern Ontario Region
- Dufferin, Halton, Hamilton-Wentworth, Niagara, Peel, Simcoe, Waterloo, Wellington, and York counties of the Central Ontario Region, and Metropolitan Toronto

The Centre Jules-Léger in Ottawa provides services in Ontario for French-speaking pupils with severe learning disabilities. Its catchment area is the entire province.

The Provincial Committee on Learning Disabilities may determine that in certain cases a demonstration school may admit a student from outside its catchment area.

Definition of a learning disability

A learning disability is defined in the *Special Education Information Handbook, 1984* (page 16) as:

- a learning disorder evident in both academic and social situations that involves one or more of the processes necessary for the proper use of spoken language or the symbols of communication, and that is characterized by a condition that:
 - a. is not primarily the result of:
 - impairment of vision
 - impairment of hearing
 - physical handicap
 - mental retardation
 - primary emotional disturbance
 - cultural difference
 - b. results in a significant discrepancy between academic achievement and assessed intellectual ability, with deficits in one or more of the following:
 - receptive language (listening, reading)
 - language processing (thinking, conceptualizing, integrating)
 - expressive language (talking, spelling, writing)
 - mathematical computations
 - c. a. may be associated with one or more conditions diagnosed as:
 - a perceptual handicap
 - a brain injury
 - minimal brain dysfunction

- dyslexia
- developmental aphasia

The demonstration schools: goals and objectives

The demonstration schools were established to meet the needs of pupils with severe learning disabilities who require a residential setting, and to make available resource services for the learning disabled, including on-site professional development programs for qualified teachers.

The program objectives of the demonstration schools are as follows:

1. to provide residential education programs for pupils with severe learning disabilities
2. to assist enrolled pupils to develop personal life and learning strategies which will enable them to return to programs within local school boards, other educational jurisdictions, or the community
3. to provide in-service teacher education
4. to provide resource services for school boards as required, including pupil assessment and/or programming assistance

Admission procedures for demonstration schools

A. Criteria for admission

In order to be eligible for admission to a demonstration school, a candidate must satisfy the following criteria:

- the applicant must qualify as a resident pupil of the school board (as in section 32 of the Education Act)
- because of the nature of the learning disability and/or other factors, the applicant must be in need of a residential education program
- the applicant must have a severe learning disability, according to the definition cited above
- a psychologist or other mental health professional must have determined recently that the applicant is not in need of treatment for emotional or behavioural disorders
- an Identification, Placement, and Review Committee (IPRC) must have recommended to the school board that the applicant be placed in a demonstration school
- the applicant must have been assessed by a resource services consultant from a demonstration school.

B. Referrals

School boards may make referrals to the demonstration schools, upon the recommendation of an Identification, Placement, and Review Committee. Such referrals shall be directed to the appropriate regional office of the Ministry of Education.

The school board should ensure that the following are submitted to the regional office:

- assessment information
- school history
- personal and family data
- a list of alternative placements in order of priority, prepared by the IPRC

Full details of application requirements are outlined in the 1988 memorandum entitled "Application Procedures for Admission to Demonstration Schools", issued by and available from regional directors of education. Applications must be received by the regional offices before November 1 (for admission February 1), and before March 1 (for admission September 1).

C. The provincial committee on learning disabilities

Decisions regarding admission to demonstration schools will be made by the Provincial Committee on Learning Disabilities, which consists of:

- an official from the Special Education and Provincial Schools Branch, who will call and chair meetings
- the demonstration school program directors
- one representative of the Children's Services Division of the Ministry of Community and Social Services

- a registered psychologist
- one or more additional representatives

The Provincial Committee may request additional information from the regional offices in order to determine the priority of candidates for the available places in the demonstration schools. In addition, the Committee will interview the applicants, the parents or guardians, and the school board representatives. Meetings will take place in the appropriate regional office of the Ministry of Education.

The Committee will communicate its decisions and recommendations to the school board; copies will be sent to the parent(s) and the regional office.

D. Appeals

In the event of disagreement with the decision of the Committee, the Director of the Special Education and Provincial Schools Branch shall appoint a review committee to hear appeals, upon the request of a school board, the parent of an applicant, or an applicant who is eighteen years of age or over.

Policy/Program Memorandum 81

Date of issue: July 19, 1984

Effective: Until revoked or modified

Subject: Provision of health support services in school settings

Application: Directors of Education
Superintendents of Schools
Principals of Schools

School boards, parents and local agencies have raised a concern regarding the provision of health support services to school-age children. This concern involves services that extend beyond educational services and are not included in the normal preventive health programs already provided by boards of health to school children.

As a result of a study of this matter, the Ontario Government has decided that the responsibility for ensuring the provision of such health support services will be shared among the Ministries of Education, Health, and Community and Social Services. Responsibility for the direct provision of these services at the local level will be shared by the school boards, the Home Care Program of the Ministry of Health, and agencies operating under the Ministry of Community and Social Services.

The attached chart, developed jointly by staff of the three ministries, summarizes the respective responsibilities.

The Home Care Program of the Ministry of Health, at the request of a school board, will be responsible for assessing pupil needs, and for providing such services as injection of medication, catheterization, manual expression of the bladder, stoma care, postural drainage, suctioning and tube feeding. The Ministry of Health will also be responsible for intensive physio-occupational and speech therapy, and for assisting school boards in the training and direction of school board staff performing certain other support services.

The Ministry of Community and Social Services will continue to be responsible for ensuring the provision of health support services in children's residential care and treatment facilities.

The school boards will be responsible for the administration of oral medication where such medication has been prescribed for use during school hours. For physically disabled pupils, the school boards will provide such services as lifting and positioning, assistance with mobility, feeding and toileting, and general maintenance exercises. Boards will also continue to be responsible for necessary speech remediation, correction and habilitation programs.

School boards should establish or update their policies for the provision of these support services. Such policies should define administrative procedures, personnel roles, and routine safeguards. The local boards of health, local Home Care Program administrators, and local medical societies can provide valuable assistance in the development of such policies. The procedures for the administering of oral medication, in particular, should provide:

1. that such procedures be applied only to those services, requested by the parent and prescribed by a physician or other health care

professional, which must be provided during school hours

2. that a request for the service and the authorization to provide such service be made in writing by the parent and the physician, specifying the medication, the dosage, the frequency and method of administration, the dates for which the authorization applies, and the possible side effects, if any
3. that the storage and safekeeping requirements for any labelled medication be stated
4. that a record of administration be maintained which includes the pupil's name, date, time of provision, dosage given, name of person administering, etc.
5. that the telephone numbers of the parent and physician be readily accessible in the school
6. that the medication be administered in a manner which allows for sensitivity and privacy and which encourages the pupil to take an appropriate level of responsibility for his or her medication

The assignment of these responsibilities is not intended to replace the provision of services which some school boards have already established and may choose to continue. The implementation of this policy, however, does ensure that, by 1985, no school-aged child should be denied access to education because of special health support needs during school hours.

Implementation of these services is expected to begin September 1, 1984, with full provision of services by September 1, 1985.

The designation of roles and responsibilities for health support services in school settings does not preclude, in emergency situations, the provision of a health service by designated school board personnel, administered in accordance with section 52(2a) of the *Health Disciplines Act* and section 10(c) of the *Drugless Practitioners Act*, and under the policies and procedures of the school board concerned.

Should a need develop for a service which has not already been designated, the matter should be referred by the school board to the Ministry of Education for its consideration in consultation with the Ministry of Health.

School boards will be informed as soon as possible of the procedures to be followed in obtaining the designated health support services from the Home Care Program of the Ministry of Health.

Model for provision of school health support services

Model of provision of school health support services

Support Service	Administered by	Provided by	Training and Direction	Consultation
I. Oral Medication	Pupil as authorized or	Pupil	Attending Physician	local Board of Health
I. Oral Medication	Parent as authorized or	Parent	Attending Physician	local Board of Health
I. Oral Medication	Aide or other personnel	School Board	School Board/Physician	local Board of Health
II. Injection of Medication	Pupil as authorized	Pupil	Attending Physician	local Board of Health

Support Service	Administered by	Provided by	Training and Direction	Consultation
II. Injection of Medication ...	Parent as authorized	Parent	Attending Physician	local Board of Health
II. Injection of Medication ...	Health Professional	Ministry of Health	Ministry of Health	School Board
III. <ul style="list-style-type: none"> • Catheterization • Manual expression of bladder/stoma • Postural drainage/suctioning • Tube feeding 	Health Professional	Ministry of Health	Ministry of Health	School Board
IV. <ul style="list-style-type: none"> • Lifting and positioning • Assistance with mobility • Feeding • Toileting 	Aide or other personnel	School Board	School Board and Ministry of Health	Ministry of Health
V. Therapies: ... a. a. Physio/Occupational: <ul style="list-style-type: none"> • Intensive clinical (treatment) 	Qualified therapist	Ministry of Health	Ministry of Health	Ministry of Health
V. Therapies: ... a. a. Physio/Occupational: <ul style="list-style-type: none"> • General maintenance exercises 	Aide	School Board	Ministry of Health	Ministry of Health
V. Therapies: ... b. b. Speech: <ul style="list-style-type: none"> • Speech pathology (treatment) 	Speech Therapists/Pathologists	Ministry of Health	Ministry of Health	Ministry of Health

Support Service	Administered by	Provided by	Training and Direction	Consultation
V. Therapies: ... b. b. Speech: • Speech correction and remediation	Speech and Language Teachers	School Board	School Board	Ministry of Health
VI. All Services in Children's Residential Care/Treatment Facilities	Aides/Health Professionals	Ministry of Community and Social Services	Ministry of Community and Social Services	Ministry of Health

Interministerial Guidelines for the Provision of Speech and Language Services (as applicable to the *Education Act*)

September 1988

Ministry of Education
Ministry of Health
Ministry of Community and Social Services

This document supersedes the Guidelines for the Provision of Speech and Language Services, June 1985, and the references to speech and speech pathology/therapy in the document, Policy/Program memorandum No. 81, July 19, 1984.

Purpose of the Interministerial Guidelines

The following information is provided as a guide for the use of school boards; local Home Care Programs and Agencies of the Ministry of Health; and, Facilities for the Developmentally Handicapped, Schedule I and II (hereafter referred to as Facilities) and Children's Mental Health Centres (hereafter referred to as Centres) funded by the Ministry of Community and Social Services, in the provision of speech and language services for pupils who are enrolled in and attending publicly-supported schools (hereafter referred to as pupils).

Introduction

Program/Policy Memorandum No. 81, Provision of Health Support Services in School Settings, was issued on July 19, 1984. The interministerial agreement represents the Ontario Government's commitment to ensure that all pupils with special needs receive the support services required to benefit from an educational program.

The agreement represents a sharing of responsibilities by the Ministries of Education, Health, and Community and Social Services. Furthermore, it requires the direct provision of services at the local level by school boards, Home Care Programs, Agencies, Facilities and Centres operating under the aegis of the Ministries of Education, Health, and Community and Social Services, respectively.

In June 1985, Guidelines for the Provision of Speech and Language Services, a further interministerial agreement approved by the Ontario Cabinet, described the sharing of responsibility for the provision of relevant services so that the speech and language needs of all pupils with communication disorders could be addressed through the co-ordinated services of school boards, Home Care Programs, Agencies, Facilities and Centres.

In June 1987, the Interministerial Advisory Committee on Speech and Language Services, including representation from speech and language professionals and associations, was reconvened. The advisory committee reviewed data from various sources, modified the original guidelines and submitted the revised guidelines for approval of the three ministries.

The guidelines are published to assist in decision-making, at the local level, by providing direction to school board, Home Care Program, Agency, Facility and Centre personnel to determine their responsibilities in the provision of speech and language services in a co-operative mode.

The contributions of all who participated in the review process and in the development of the revised guidelines are gratefully acknowledged.

The revised guidelines are approved by the Ministries of Education, Health, and Community and Social Services.

(Signed)

Assistant Deputy Minister
Learning Programs
Ministry of Education

(Signed) Assistant Deputy Minister

Community Health
Ministry of Health

(Signed) Assistant Deputy Minister

Community Services
Ministry of Community and Social Services

I. Basic principles

The following basic principles are essential to the understanding of the provision of speech and language services:

1. the responsibility of parents to work together with school boards and other service providers to facilitate the provision of required services is acknowledged
2. where a child is receiving speech and language services upon being enrolled in a community school, it is expected that local Home Care Program, Agency, Facility or Centre personnel, in co-operation with the parent(s), will liaise with school-board staff to share information and, where appropriate, to ensure a smooth transition of the speech and language program to the local school setting
3. the implementation of the guidelines does not preclude the provision of speech and language services by other established sources of service to pupils who are enrolled in schools, for example, hospitals or Children's Treatment Centres
4. where speech and language needs have not been assessed prior to school entry and before making a referral to the Home Care Program or to other service providers, it is the responsibility of a school board, within its early identification process, to develop and implement strategies to:
 - a. determine a pupil's communication needs and, where appropriate
 - b. make a referral to the local Home Care Program or to other community resources
5. when addressing the educational needs of pupils with various communication disorders, school boards should provide a comprehensive language and speech program. This program should utilize a spectrum of professional and trained support personnel through a co-operative, interdisciplinary approach
6. school boards will provide services for pupils with communication disorders, where such services are an appropriate part of the pupil's educational program
7. school boards may continue to purchase speech and language services from other service providers, for example, other school boards, hospitals, Agencies and Centres

Co-ordination and monitoring are essential to the complete and efficient provision of speech and language services by the various service providers within local communities. It is expected that school boards will assume leadership to facilitate the development, co-ordination and ongoing monitoring of speech and language services for pupils who are enrolled in their schools.

II. Development of a local service delivery model

It is expected that school boards, local Home Care Programs and Agencies of the Ministry of Health and Ministry of Community and Social Services Facilities and Centres will:

- be mutually supportive in the provision of speech and language services
- employ or contract appropriately trained staff to provide assessment, treatment and programming
- develop a co-operative model for providing speech and language services within the community, in accordance with the basic principles and proposed service delivery model described herein

School boards should provide leadership in the development of a local service delivery model by initiating regular meetings with local Home Care Programs, Agencies, Facilities and Centres to co-ordinate and monitor services.

Where it is determined that speech and language services are the responsibility of the Ministry of Health and that these services must be provided within the school setting, such services will be requested by the school principal and provided through the local Home Care Program, in accordance with established procedures. Staff providing services through the Home Care Program shall liaise closely with appropriate school board personnel. Where services are not provided through the Home Care Program, service providers are encouraged to liaise with appropriate school board personnel.

The attached model describes the responsibility of school boards, Home Care Programs and Agencies of the Ministry of Health, and Facilities and Centres of the Ministry of Community and Social Services in developing a local service delivery model. Service providers are encouraged to modify and adapt the model to meet identified local needs.

III. Determining responsibility for service delivery

- A. A. For those pupils who are admitted to treatment programs operated by the Ministry of Health and to Facilities and Centres funded by the Ministry of Community and Social Services, and who attend an educational program offered by a school board in the treatment setting, it is expected that the provision of speech and language services will be the responsibility of the Ministries of Health and Community and Social Services, respectively.
- B. A. For those pupils, who are enrolled in publicly supported schools and who are not admitted to a treatment program identified in paragraph A above, the following information will guide the development of service delivery models at the local level.

Language disorders

Language competence is an integral component of the classroom program. Therefore, school boards should be responsible for the assessment and provision of services for pupils with language disorders. These services are most effective when closely integrated with the classroom program, particularly with language problems associated with a learning disability, autism, intellectual and hearing impairment.

Responsibility

Assessment of and services associated with language disorders are the responsibility of school boards.

Non-speech communication

Assessment for, prescription of, and orientation to augmentative and alternate methods of communication for non-speaking pupils will be provided by the Ministries of Health and Community and Social Services, respectively. However, the ongoing development and use of these methods of communication in the educational setting must be part of the school program and the responsibility of school boards, with the support of Home Care Programs, Agencies, Facilities, and Centres of the Ministries of Health and Community and Social Services, respectively.

Responsibility

Non-speech communication is a shared responsibility of the local Home Care Programs and Agencies of the Ministry of Health, the Ministry of Community and Social Services, and the local school boards.

Articulation/speech sound production

While it is recognized that articulation/speech sound production problems may be viewed as a dimension of language competence, the large numbers of pupils experiencing varying degrees of such problems make it necessary for local Home Care Programs and Agencies of the Ministry of Health and school boards to provide services, as follows:

1. a. a. specialized assessments and programs for pupils with neuromotor speech disorders, such as dyspraxias and dysarthrias, should be the responsibility of the Ministry of Health
 - b. a. other motor speech disorders requiring the support of a medical, habilitation or rehabilitation team should be provided by the Ministry of Health
2. in cases where it is determined that the articulation/speech sound program should be part of the educational program, school boards are responsible

3. in cases where it is not essential that the speech program be part of the educational program, school board or health staff may provide assistance, as determined locally

Responsibility

Home Care Programs and Agencies of the Ministry of Health and school boards have both specific and shared responsibilities for articulation/speech sound production problems.

Fluency disorders

The provision of services for pupils with fluency disorders requires the availability of services and support programs within both the health and education sectors. Therefore, Home Care Programs, Agencies, and school boards should co-operate to develop and deliver diversified services to pupils with fluency disorders.

Where the fluency program is determined to be an integral part of the educational program requiring the support services available in the school setting, the school board should be responsible.

Responsibility

Home Care Programs and Agencies of the Ministry of Health and school boards share the responsibility for pupils with fluency disorders.

Voice disorders and resonance problems

The need for assessment and monitoring by a medical team requires that pupils with voice disorders and resonance problems be served by Home Care Programs and Agencies of the Ministry of Health. This includes therapy needs associated with cleft lip and palate repair and velopharyngeal insufficiency.

Some pupils may require monitoring through the school program after a period of therapy. Monitoring should be provided by school boards, with the support of Home Care Programs and Agencies of the ministry of Health.

Responsibility

Voice disorders and resonance problems are shared responsibilities of the local Home Care Programs and Agencies of the Ministry of Health and the local school boards.

IV. Conflict resolution

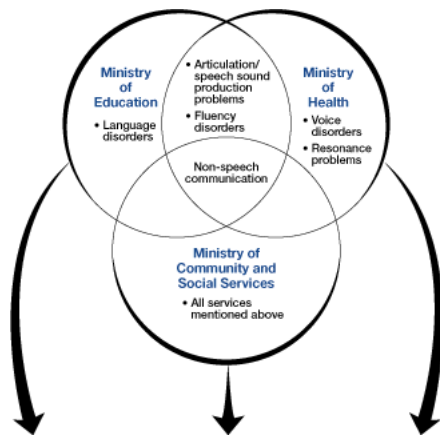
Where a pupil has multiple or complex needs, including speech and language, such as multiple-diagnosis, and there is a lack of agreement regarding which service agent is responsible, a supervisory officer designated by the local school board, the director of the local Home Care Program (or designate) and the area manager of the Ministry of Community and Social Services (or designate) will determine which local service provider will deliver and monitor appropriate speech and language services. Duplication of identical services and the provision of speech-language services by more than one speech-language pathologist to one pupil should be avoided.

Where local officials are not able to determine the respective role for each ministry or are unable to provide the required service, the case, supported by documentation, will be referred by the local school board to the appropriate regional office of the Ministry of Education. In seeking a resolution, the Regional Director of Education is expected to refer the matter to appropriate staff of the Special Education and Provincial Schools Branch, Ministry of Education. A mutually satisfactory resolution will be determined in consultation with officials of the Ministries of Health and Community and Social Services.

V. Service review

An interministerial committee will monitor the implementation of the *Interministerial Guidelines for the Provision of Speech and Language Services, September 1988* and conduct an annual review of service delivery.

A model for the provision of speech and language services (As applicable to the Education Act)



Criteria

School boards

School boards will be responsible in the following circumstances:

- when assessment or programming for the communication disorder requires close cooperation and liaison with an educational team
- when appropriate programming requires the educational environment for improvement
- when communication programming can and should be part of the pupil's educational program
- when communication problems are having, or are likely to have a significant impact on educational progress or school adjustment, i.e. when educational development will be impeded without communication skill programming
- when management by a medical team is not essential

Where school boards are responsible for the provision of language and speech services, a spectrum of professional and trained support personnel should be utilized in a co-operative, interdisciplinary approach.

Note: In this document, an educational team includes but is not restricted to one teacher working with other professionals, including a school principal, to develop an educational program.

Criteria

Facilities and centres of the Ministry of Community and Social Services

Facilities and centres will be responsible when a pupil admitted to a facility or centre, funded by the Ministry of Community and Social Services, attends an educational program offered by a school board in the Facility or centre setting, in accordance with the General Legislative Grants regulation of the Ministry of Education.

Criteria

Local home care programs and agencies of the Ministry of Health

Local home care programs and agencies will be responsible in the following circumstances:

- when assessment and/or management of the communication disorder requires the involvement of and liaison with a medical management team
- when co-ordination efforts of other services available within the health setting are required
- when the assessment and/or management plan does not require liaison with an educational team, i.e. the goals of the assessment, treatment or plan of care need not become an integral component of the pupil's educational program
- when management by an educational team is not essential
- when a pupil in a treatment program, funded by the Ministry of Health, attends an educational program offered by a school board in the approved care and treatment setting, in accordance with the General Legislative Grants regulation of the Ministry of Education

Note: In this document, a medical management team includes but is not restricted to one health professional working with other professionals, including a physician, to develop a plan of care.

Program and Agency service providers are encouraged to liaise with appropriate school board personnel.

Policy/Program Memorandum 76C

Date of issue: October 4, 1991

Effective: Until revoked or modified

Subject: Alternative educational programs and services for deaf, blind, and deaf-blind exceptional pupils

Application: Directors of Education

Reference: This memorandum replaces Policy/Program Memorandum No. 76C, September 20, 1985.

Introduction

This memorandum recognizes the need for flexibility in providing funding for a range of alternative placements for deaf, blind, and deaf-blind pupils who are enrolled in school board programs and who are eligible to attend a Provincial School or the Centre Jules-Léger. The range of placements eligible for funding includes resource/withdrawal settings as well as self-contained classes in schools operated by boards where education is provided by a specialist teacher and where essential support services are available. It is recommended that school boards discuss placement options, including placement in Provincial Schools, with pupils and their parents.

Where a school board establishes an educational program as an alternative to that provided at the Provincial Schools or at the Centre Jules-Léger and such a program is recognized for funding by the Minister of Education, additional financial assistance will be provided to the board.

Because of the low incidence of these types of exceptionalities and the complex educational programming required, school boards planning to undertake the provision of an alternative educational program are encouraged to do so in co-operation with neighbouring and coterminous school boards.

Criteria for the approval of funding for alternative educational programs

If a program provided by a board is to be recognized for funding by the ministry as an alternative educational program for deaf, blind, or deaf-blind pupils, it must satisfy the following criteria:

- A. A. The program shall be provided for exceptional pupils:
 1. who are:
 - a. b. educationally **deaf**, with hearing thresholds generally greater than 70 dB level, 1969, unaided
 - b. c. educationally **blind**, with a need to use braille and other tactile formats as their prime educational media
 - c. d. educationally **deaf-blind**, that is, unable to use their senses of hearing and vision to benefit from a program for deaf pupils or a program for blind pupils
 2. who would otherwise be enrolled at one of the following schools for deaf, blind, or deaf-blind pupils:
 - a. e. The W. Ross Macdonald School, Brantford (blind, deaf-blind)
 - b. f. The Sir James Whitney School, Belleville (deaf)
 - c. g. The Ernest C. Drury School, Milton (deaf)
 - d. h. The Robarts School, London (deaf)
 - e. i. Centre Jules-Léger, Ottawa (deaf, blind, deaf-blind)
 3. The program for **deaf or blind** pupils shall:

- x. be designed for pupils who are organized in reasonably (54 homogeneous classes, according to degree of exceptionality, age, and identified needs, and provide the pupils with direct instruction by a specialist teacher for at least 50% of the instructional time in a normally scheduled week or cycle
 - ixi. be designed for one or more pupils whose needs may be met through a resource/withdrawal program, and provide the pupil(s) with direct instruction by a specialist teacher for at least 25% of the instructional time in a normally scheduled week or cycle
4. provide curricula that conform to ministry policy and guidelines and that recognize the identified needs of the exceptional pupil(s) involved
 5. be supported by the special education services and special materials that these exceptional pupils might require, such as individual hearing aids, frequency-modulation systems, audiological support, acoustically designed learning areas, tactile maps, raised-line diagrams, auditory tapes, and models (the term *special education services* is defined in the *Education Act*)
 6. be developed or modified in consultation with the appropriate Provincial School or the Centre Jules-Léger
- B. A. The program for **deaf-blind** pupils shall:
- a. b. be provided for one or more pupils who receive, on an individual basis, the services of an intervener working under the supervision of a qualified teacher and in consultation with a specialist teacher of the deaf-blind employed by the school board, by The W. Ross Macdonald School (Brantford), or by the Centre Jules-Léger (Ottawa)
 - b. c. provide curricula that conform to ministry policy and guidelines and that recognize the identified needs of the exceptional pupil(s) involved
 - c. d. be supported by the special education services and special materials that these exceptional pupils might require, such as individual hearing aids, frequency-modulation systems, audiological support, acoustically designed learning areas, tactile maps, raised-line diagrams, auditory tapes, and models (the term *special education services* is defined in the *Education Act*)
 - d. e. be developed or modified in consultation with The W. Ross Macdonald School or the Centre Jules-Léger
- C. A. The program of instruction shall be provided by a teacher who has the necessary qualifications to teach blind, deaf, or deaf-blind pupils, that are outlined in Regulation 268, R.R.O. 1980, section 23. Namely, the teacher must hold:
1. a Permanent Letter of Standing valid for the teaching of deaf pupils
 2. a certificate or a letter of standing to teach in an elementary school or secondary school in Ontario
 - a. b. hold the Diploma in Deaf Education granted by the Minister or qualifications in education of deaf pupils that the Minister considers equivalent
 - b. c. have completed, or be actively engaged in completing, the requirements for the specialist qualifications for teaching blind pupils, or hold qualifications in education of blind pupils that the Minister considers equivalent
 - c. d. have completed, or be actively engaged in completing, the requirements for the specialist qualifications in education of deaf-blind pupils, or hold qualifications in education of deaf-blind pupils that the Minister considers equivalent

Support services personnel

Specially trained persons, including interpreters, interveners, orientation and mobility personnel, transcribers, and teacher-assistants, provide support services that some pupils may require if they are to develop their communicative, academic, and/or vocational skills to the fullest extent possible. Support personnel shall meet the following requirements:

1. Interpreters shall:
 - a. a. be graduates of a college or university interpreter-training program or the equivalent, and hold, or within three years obtain, certification by the Association of Visual Language Interpreters of Canada
 - b. a. be assigned to one or more deaf pupils for a portion of the time that the pupils are not receiving direct instruction from a specialist teacher of the deaf
2. Interveners shall:
 - a. a. have been trained by a specialist teacher of the deaf-blind to communicate with deaf-blind pupils
 - b. a. deliver a program designed to meet the individual needs of deaf-blind pupils. This program is to be developed by The W. Ross Macdonald School or the Centre Jules-Léger, or by a specialist teacher who is employed by the school board and who designs the

program in consultation with one or both of these schools

- c. a. work with a deaf-blind pupil 100% of the pupil's school day

3. Orientation and mobility personnel shall:

- a. a. hold certification in orientation and mobility from the Canadian National Institute for the Blind (CNIB) or from a community college, or hold equivalent qualifications acceptable to the Minister
- b. a. have normal vision, that is, corrected visual acuity of 20/40 or better and peripheral field at a 120° angle
- c. a. have hearing within normal limits, that is, within 0-25 dB
- d. a. provide one-on-one instruction to blind pupils in the elementary or secondary panel

4. Transcribers shall:

- a. a. hold qualifications as braillists from CNIB or have a working knowledge of the operation of a braille-translation computer program
- b. a. transcribe print material directly into braille

5. Teacher-assistants shall:

- a. a. hold qualifications that are to be determined by the school board
- b. a. be deployed in classes that are instructed by a specialist teacher and that include deaf or blind pupils with other disabilities or deaf or blind pupils with a wide range of ages or abilities, in order to provide individualized attention to these pupils
Detailed information on the roles and responsibilities of support services personnel is available in Special Education Monograph No. 6, Roles and Responsibilities of Educational Support Services Personnel in School Board Alternative Educational Programs

Funding

The number of qualified staff members that is approved for funding will be determined by and related to the number of pupils served who would otherwise be enrolled at one of the Provincial Schools for deaf, blind, or deaf-blind pupils, or at the Centre Jules-Léger. Additional information on the allocation of staff members is specified in "Guidelines for Approving Alternative Educational Programs and Services for Deaf, Blind, and Deaf-Blind Exceptional Pupils", which is available from the regional offices.

The amounts calculated for grant purposes for teachers and teacher-assistants will be paid to a school board at 100% of the amounts stipulated in the General Legislative Grants Regulations. Funding of interveners and orientation and mobility personnel will be calculated on the same basis as funding for teacher-assistants.

The grant that will be paid to a school board for interpreters and transcribers will be the difference between the amount recognized for grant purposes and the school board's share. That is, the cost of providing interpreters and transcribers will be shared by the Ministry of Education and school boards.

Requests for approval of funding for alternative educational programs shall be submitted to the Regional Director of Education by the following dates:

- a. a. for a new program: April 30th for the following September, or October 31st for the following January
- b. a. for continuation of a program in the next school year: by May 31 of the current year

Application forms for these programs are available upon request from the regional offices.

Monitoring and program audits

A statement confirming that the alternative program(s) and support services meet the requirements of this memorandum shall be submitted annually to the appropriate regional director of the Ministry of Education by the director of education of the school board requesting the funding.

The Ministry of Education will conduct random annual audits to ensure that alternative educational programs continue to meet the requirements for funding.

Policy/Program Memorandum 76A

Date of Issue: May 4, 2018

Effective: August 1, 2018, until revoked or modified

Subject: **Workplace Safety and Insurance Coverage for Students in Work Education Programs**

Application: District Office Managers

Directors of Education

Principals of Secondary Schools

Principals of Provincial Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 76A, September 27, 2000.

Introduction

The Education Act states that the Minister of Education may “prescribe the conditions under which and the terms upon which pupils of boards shall be deemed to be workers for the purposes of the insurance plan established under the *Workplace Safety and Insurance Act, 1997*, deem pupils to be workers for those purposes and require a board to reimburse Ontario for payments made by Ontario under the insurance plan in respect of such a pupil”.^[1]

This memorandum provides direction to school boards and schools concerning coverage under the Workplace Safety and Insurance Act (WSIA), 1997, for students, including adult learners, who are participating in various work education programs (also referred to as experiential learning programs) where the student is considered a worker. Such programs encompass short-term opportunities such as work experience, longer-term opportunities such as cooperative education, and the work placements that may comprise all or part of some students' individualized programs in Supervised Alternative Learning (SAL).

Students participating in work education or experiential learning programs must be at least fourteen years of age. Before a student is placed with an employer, school boards must determine whether the student will be covered for Workplace Safety and Insurance Board (WSIB) benefits by the Ministry of Education or the placement employer. In most cases, coverage for these students is provided by the ministry, but school boards, with the assistance of placement employers, must ensure that the requirements of the WSIB are properly adhered to both prior to and during the work placements.

Coverage provided under the Workplace Safety and Insurance Act

In all types of work education programs, businesses and community agencies collaborate with school boards to provide students with rich learning opportunities. Because the emphasis of these programs is on educational experience rather than productivity, **students do not normally receive wages** from the placement employer. (Expense allowances or honoraria paid to students are not considered wages for the purposes of Workplace Safety and Insurance Board benefits.)

Students who participate in work education or experiential learning programs and who **do not** receive wages are considered, for the purpose of coverage under the WSIA, to be employees of the Ministry of Education once the Work Education Agreement (WEA) form is completed and the work placement begins (see the section “Obtaining WSIA Coverage”, below).

If students **do** receive wages when participating in work education or experiential learning programs, the placement employer is considered to be the employer under the WSIA, and is responsible for providing WSIA coverage. A WEA form must be completed for these students, and school boards must indicate in the appropriate section of the form that the employer, not the ministry, is providing the WSIA coverage.

Note that if the placement employer is one of the few types of businesses that is not required to register for WSIA coverage, such as a bank,^[2] the student is still covered under the WSIA, since the student is considered to be an employee of the ministry for this purpose. A WEA form must also be completed for these students.

Conditions of WSIA Coverage Provided by the Ministry of Education

In addition to the general conditions of coverage stated above, the following conditions apply when the ministry provides WSIA coverage:

- students are covered during the time that they are performing the duties assigned to them under the supervision of the placement employer

- students are covered when their work placement is located on school board property, and when they are supervised by teaching or non-teaching staff members (e.g., teachers, building custodians, electrical maintenance supervisors, audio-visual technicians, or purchasing officers)
- students who participate in the Ontario Youth Apprenticeship Program (OYAP) and who are not paid an hourly wage or salary are covered. If an OYAP student is on an employer's payroll, the employer assumes responsibility for the student's WSIA coverage
- students whose work placement is outside the province – for example, students participating in international cooperative education – are covered for up to six months while at their work placement in the host province or country. If the work placement continues beyond six months, the school board must send a written request to the WSIB for approval of an extension of coverage. A copy of this request must be sent to the ministry
- students are covered if they are required to travel as part of their learning and if travelling is considered an assigned duty during their work placement
- students are generally covered while they are being transported from the work placement to receive health care as the result of a work-related injury or disease
- students are generally **not** covered while they are travelling to and from the work placement.^[3]
- students are **not** covered during the time they are in training for, or are participating in, individual or team sports. Amateur or professional athletes are **not** covered under the WSIA

Obtaining WSIA coverage

The WEA form **must be completed for all students** participating in work education or experiential learning programs. For students who are not receiving wages or are not covered by their employer, the completion of this form establishes an understanding that the Ministry of Education is responsible for covering WSIB benefits. For students who are receiving wages and are covered by their employer, the completion of the form establishes that the employer is responsible for providing WSIA coverage. School boards must use a separate WEA form for each individual student.

The student must sign the WEA form, indicating consent to the conditions of coverage set out in the form. The consent of a parent^[4] is also required if a student is under eighteen years of age.^[5] The teacher and the placement employer must also sign the WEA form.

WSIA coverage arranged through the ministry applies only to the hours and dates stated in the WEA form. In cases where the student and/or placement employer wish to modify the hours or dates set out in the WEA form, a note must be appended as an addendum to the form to ensure that the necessary WSIA coverage remains in place for the student. The note must be signed by the teacher, the student, the student's parents (if the student is under the age of eighteen), and the placement employer. The signed note is required **before** the student begins the new schedule at the work placement.

Workplace Safety and Insurance Board benefits

Under the WSIA, employees who have sustained a workplace injury or contracted a disease are eligible to receive benefits, such as compensation for their loss of earnings and their permanent impairments, and health care and rehabilitation services. More information on these benefits can be found on the WSIB website.

Students are entitled to **loss of earnings benefits** if they sustain an injury or contract a disease during a work placement (whether paid or unpaid) and if this injury or disease causes them to lose time from the work placement and/or a part-time job unrelated to the placement. The WSIB calculates loss of earnings benefits as follows:

- **unpaid work placements – benefits are based on the minimum wage.** Most students participating in work education programs do not receive wages; however, the deemed rate of pay for calculating loss of earnings benefits is the general hourly rate established by minimum wage legislation
- **paid work placements – benefits are based on actual wages.** If a student receives wages from a placement employer, the actual wages are used to calculate the loss of earnings benefits
- **part-time employment – benefits are based on actual wages.** If the work-related injury or disease results in the loss of wages from a part-time job not connected with the work education program, the student is also entitled to compensation for the hours missed at that part-time job, based on the actual rate of pay for the part-time job. Details regarding the student's part-time job must be provided to the WSIB (i.e., the rate of pay and the number of hours worked weekly)

Ministry of Education reporting procedures and claims

The following reporting procedures are with respect to situations in which the ministry provides coverage for WSIB benefits. In cases where an employer provides coverage for WSIB benefits (i.e., for a student who is an employee of the placement employer and is receiving wages), the employer must follow the steps required of an employer reporting a workplace injury or disease.

A student who sustains an injury or contracts a disease, however minor, during the work placement component of a work education or experiential learning program should report the injury or disease to the placement employer and the appropriate teacher with full details, including the time, place, and precise circumstances under which the injury was sustained or the disease contracted. A work-related injury or disease requiring only first-aid treatment does not have to be reported to the WSIB, but a record of the details must be kept by the school board.

If medical treatment beyond first aid is required from a health care professional, or if the injury or disease results in loss of time from the work placement, the school board representative must send a report (as specified below) to the WSIB. Because accident reporting procedures call for students' social insurance numbers, it is recommended that all students involved in work education or experiential learning programs where the student is considered a worker have a social insurance number.

Employer's Report of Injury/Disease (Form 7)

In the case of a workplace injury or disease requiring health care from a medical professional and/or resulting in lost time from work, the school board representative must submit the WSIB Employer's Report of Injury/Disease (Form 7) to the WSIB. The form must be submitted **within three (3) business days** of the student reporting the injury or disease to the school, and received by the WSIB **within seven (7) business days** of the student's report to the school. The school board representative must also submit a copy of the WEA form when the school board representative reports the injury or disease to the WSIB. The Form 7 report, along with a copy of the WEA form, must also be sent to the ministry and the student.

There is a fine for late filing of a Form 7 report, and the school board is responsible for paying the fee. If the school board does not pay the late filing fee, the ministry will be required to pay it and will seek to recover the fee directly from the school board.

The school board representative who completes Form 7 must ensure that:

- the Ministry of Education is identified as the employer, and the **firm number 250379-FJ** is indicated
- the worker information refers to the student participating in the work education or experiential learning program, and the job title matches the job title on the WEA form
- the name and address of the placement employer, as well as the name and telephone number of the placement supervisor, are included
- the name of the school board and the name, address, and phone number of the school are included in the "Branch" section

If all the pertinent information is not available at the time the Form 7 report is submitted, the phrase "details to follow" should be entered in the applicable places. As soon as all the details have been obtained, the report should be resubmitted.

A Form 7 report can be submitted to the WSIB in a hard copy or electronic format. When requesting **hard copy** versions of the form from the WSIB, the school board representative should identify the ministry as the employer and cite the **firm number 250379-FJ**. Once the form is completed, it must be mailed or faxed to the WSIB, and copies must be provided to both the student and the ministry.

An **electronic** version of the Form 7 report can be submitted to the WSIB through the online services section of its website. Note that a hard copy of the electronic version must be given to the student, and another copy must be sent to the ministry, either as a fax or scanned email attachment.

Health Professional's Report (Form 8)

If a student requires health care as a result of a workplace injury or disease, the WSIB Health Professional's Report (Form 8) must be completed. It is the responsibility of the health professional to complete a Form 8 report and submit it to the WSIB. The ministry must be identified as the employer, and the **firm number 250379-FJ** must be entered on the report. Use of Form 8 will ensure that the WSIB does not record the claim as one made by the placement employer or the school board.

Worker's Report of Injury/Disease (Form 6)

In the case of a workplace injury or disease requiring health care, the student must complete the WSIB Worker's Report of Injury/Disease (Form 6). By completing a Form 6 report, the student is filing a claim for benefits, and also consenting that his or her health professional can

disclose to the placement employer personal health information regarding the student's ability to return to work. The student must send a copy of the report to the school board representative, who must forward a copy to the ministry. Note that if the student does not submit a Form 6 report, the WSIB will issue only up to two weeks of benefits (e.g., health care or loss of earnings benefits).

Head offices

Ministry of Education
900 Bay St., 16th Floor
Mowat Block
Toronto, ON M7A 1L2

- 416-325-2547
- Toll-free TTY: 416-325-3408 or Toll-free TTY: 1-800-268-7095
- Fax: 416-325-2552
- Contact us: Ministry of Education (<https://www.ontario.ca/feedback/contact-us?id=98698&nid=97165>)

Workplace Safety and Insurance Board
200 Front Street West
Toronto, ON M5V 3J1

- 416-344-1000 or 1-800-387-0750
- Toll-free TTY: 1-800-387-0050
- Fax: 416-344-4684 or Fax: 1-888-313-7373
- Workplace Safety and Insurance Board website (<https://www.wsib.ca/en>)

Ministry of Education Data Collection

The ministry requires school boards to submit annually the total number of work placement hours from September 1 to August 31 (the school year) for which the **Ministry of Education** has provided WSIA coverage for students participating in each of the following:

- cooperative education
- work experience
- work placements as part of their individualized programs in Supervised Alternative Learning (SAL)

The total number of work placement hours reported should be based on the cumulative data from all the participating students. It is important that the hours reported are the actual hours during which a student was at a work placement.

In addition, school boards must report the total number of hours for which **placement employers** (not the Ministry of Education) have provided WSIA coverage.

Where WSIA coverage was provided by the ministry, the ministry also requires school boards to report annually the names of the students for whom Form 7 reports were filed with the WSIB and the dates of the work-related injury or disease for each student.

A request for this information will be sent to school boards in early September. This information must be supplied by early November of the same year.

Additional safety concerns

Concern has been expressed about students who are participating in work placements where they may be exposed to infectious diseases. Such workplace environments include, but are not limited to, hospitals, laboratories, dental offices, ambulance service areas, veterinary offices, and nursing homes. These workplace environments are not consistent in requiring vaccinations against various diseases. In addition, requirements for tuberculosis testing of persons working in a range of workplace environments may not be consistent.

Vaccinations or tests may be required by some placement employers in order for the student to participate in a work education or experiential learning program. The student and parent, if appropriate, must be made aware of the placement employer's requirements. The student and parent, if appropriate, must decide if they are willing to adhere to the requirements as specified by the placement employer.

prior to the start of the work placement. If the student and parent, if appropriate, do not agree to adhere to the requirements of the work placement employer, another work placement must be arranged for the student.

For further information related to ensuring the health, safety, and well-being of students who are participating in work education or experiential learning programs, school boards should refer to *The Ontario Curriculum, Grades 11 and 12: Cooperative Education, 2018*.

Policy/Program Memorandum 75A

Date of issue: October 5, 1994

Effective: Until revoked or modified

Subject: Carter Scholarship program, 1994: Procedures and conditions of award

Application: Directors of Education
Principals of Secondary Schools
(in Carter Scholarship Jurisdictions)

Reference: This memorandum replaces Policy/Program Memorandum No. 75A, April 16, 1993.

Under the terms of the will of the late J. I. Carter of Sarnia, Carter Scholarships will continue to be awarded in each of the jurisdictions named below.

Each participating board will receive, in trust, one cheque for the total amount to be awarded to students within the board. Scholarships will be divided in each jurisdiction as follows:

- for the student with the highest aggregate standing: 50% of total award
- for the student with the second highest aggregate standing: 30% of total award
- For the student with the third highest aggregate standing: 20% of total award

In no case shall the total amount of the students' awards exceed the amount available for each jurisdiction. In the event that equal standing is obtained by two or more students, the ministry will determine the distribution of the funds. The following conditions remain in effect:

- a. a. six credits at the honour graduation level or for Ontario Academic Courses achieved as of August 31, 1994, including a credit in *one* of English, français, or mathematics, will be considered in determining the candidate's aggregate standing
- b. a. the candidate must obtain a minimum of 60% in English, français, or mathematics
- c. a. marks obtained over two school years (September 1992 to August 1994) may be included in the candidate's aggregate standing
- d. a. marks obtained as a result of a second attempt at a course will not be considered.
- e. a. as outlined in appendix D of *Circular H.S.1, 1979-81* and in appendix C of *Ontario Schools, Intermediate and Senior Divisions (Grades 7-12/10ACs): Program and Diploma Requirements, 1989 (rev. ed.)*, a mark obtained at a conservatory or school of music and recognized as a credit towards the Ontario Secondary School Diploma or as an equivalent of an Ontario Academic Course will have a value of one credit. This mark may be included in a candidate's aggregate standing
- f. a. to be eligible, candidates for these scholarships must have attended a secondary school within the jurisdiction for at least one complete school year prior to graduation
- g. a. no candidate who has already been awarded a Carter Scholarship will be eligible to compete a second time

Principals of schools under the jurisdiction of participating boards are requested to forward each scholarship candidate's name and aggregate standing, as well as a copy of his or her Ontario Student Transcript, to their director of education.

In identifying scholarship candidates, directors of education shall consider together the aggregate standing of students in semestered schools, June graduates, and students who have completed a summer school course.

The directors of education for each jurisdiction are asked to forward one set of recommendations, as well as one copy of the Ontario Student Transcript for each candidate in the jurisdiction, to the address below:

George Boskovic
 Financial Systems Analyst
 Corporate Finance and Services Branch
 Ministry of Education
 Queen's Park
 12th Floor, Mowat Block
 900 Bay St
 Toronto ON M7A 1L2

- 416-326-6719
- Fax: 416-325-4344

If students from more than one board within a jurisdiction are eligible to be considered for an award the directors of education for all boards concerned must sign the recommendations.

Following confirmation of eligibility, scholarship award cheques will be sent to the directors of education. These cheques will be payable in trust to the appropriate boards.

Participating boards of education

List of jurisdictions including schools and schools boards names

Jurisdictions	Boards of Education	Schools	Roman Catholic Separate School Boards	Schools
Brant	Brant County	All	Brant County	St. John's College Assumption College
Bruce	Bruce County	All	Bruce-Grey County	Sacred Heart St. Mary's
Durham	Durham	All	Durham Region	Denis O'Connor Paul Dwyer É.S. Charles Gamier Father Leo Austin Monsignor John Pereyma St. Mary
Elgin	Elgin County	All	Elgin County	St. Joseph
Essex	Essex County	All	Essex County	St Anne/Sainte- Anne Cardinal Carter É.S. L'Essor St. Thomas of Villanova

Jurisdictions	Boards of Education	Schools	Roman Catholic Separate School Boards	Schools
City of Windsor	City of Windsor	All	Windsor	Assumption College F. J. Brennan E. J. Lajeunesse Holy Names St. Joseph's St. Michael's Catholic Central
Grey	Grey County	All	Bruce-Grey County	St. Mary's Sacred Heart
Haldimand	Haldimand	All	Haldimand-Norfolk	-
Hastings	Hastings County	All	Hastings-Prince Edward County	Nicholson Senior St. Paul
Huron	Huron County	All	Huron-Perth County	-
Kent	Kent County	All	Kent County	Paincourt Ursuline College "The Pines"
Lambton	Lambton County	All	Lambton County	St. Patrick's Saint-François-Xavier
Lanark	Lanark County	All	Lanark, Leeds and Grenville county	St. John's
Leeds and Grenville	Leeds and Grenville County	All	Lanark, Leeds and Grenville county	St. Mary's
Lincoln	Lincoln County	All	Lincoln County	Denis Morris Holy Cross
Middlesex	Middlesex County	All	London and Middlesex County	Regina Mundi College
City of London	City of London	All	London and Middlesex County	Catholic Central/St. Peter's John Paul II St. Thomas

Jurisdictions	Boards of Education	Schools	Roman Catholic Separate School Boards	Schools
				Aquinas St. Joseph *****
Niagara South	Niagara South	All	Welland County	Notre Dame College Saint Paul St. Michael *****
Norfolk	Norfolk	All	Haldimand-Norfolk	-
Northumberland and Newcastle	Northumberland and Newcastle	All	Peterborough, Victoria, Northumberland and Newcastle	St. Stephen's ***** St. Mary's *****
Oxford	Oxford County	All	Oxford County	St. Mary's *****
Perth	Perth County	All	Huron-Perth County	-
Renfrew	Renfrew County	All	Renfrew County	Bishop Smith St. Joseph's ***** É.S. Jeanne-Lajoie *****
Simcoe	Simcoe County	All	Simcoe County	Holy Trinity St. Joseph's ***** St. Theresa's ***** St. Thomas ***** Aquinas Jean Vanier Patrick Fogarty É.S. Nouvelle ***** Alliance
Stormont, Dundas and Glengarry	Stormont, Dundas and Glengarry County	All	Stormont, Dundas and Glengarry County	St. Joseph's É.S. La Citadelle ***** É.S. Régionale-Glengarry ***** É.S. ***** Communautaire
Waterloo	Waterloo County	All	Waterloo Region	Monsignor E. A. Doyle St. Benedict ***** St. David ***** St. Jerome ***** St. Mary's *****

Jurisdictions	Boards of Education	Schools	Roman Catholic Separate School Boards	Schools
				Resurrection Catholic
Wellington	Wellington County	All	Wellington County	Bishop MacDonnell Our Lady of Lourdes St. James
Wentworth	Wentworth County	All	Hamilton-Wentworth	-
City of Hamilton	City of Hamilton	All	Hamilton-Wentworth	Bishop Ryan Cardinal Newman Cathedral School St. Jean de Brébeuf St. Mary's St Thomas More
York	-	-	Metropolitan	All except St. Michael's College
Borough of East York	Borough of East York	All	-	-
City of Etobicoke	City of Etobicoke	All	-	-
City of North York	City of North York	All	-	-
City of Scarborough	City of Scarborough	All	-	-
City of Toronto	City of Toronto	All	-	-
City of York	City of York	All	-	-
Toronto	Conseil des écoles françaises de la communauté urbaine de Toronto	All	Metropolitan	Collège français à Jarvis É.S. Étienne-Brûlé
York Region	York Region	All	York Region	Brother André Cardinal Carter

Jurisdictions	Boards of Education	Sch ools	Roman Catholic Separate School Boards	Schools
				Father Bressani Father Michael McGivney Holy Cross Sacred Heart St. Elizabeth St. Joan of Arc St. Robert

Policy/Program Memorandum 60A

Date of issue: September 16, 2010

Effective: Until revoked or modified

Subject: Ontario young travellers program: visits by students from northern Ontario to the provincial capital^[1]

Application: Directors of Education of District School Boards with Eligible Schools
 Supervisory Officers of the Moosonee District School Authority Board and
 Moose Factory Island District School Authority Board

Reference: This memorandum replaces Policy/Program Memorandum No. 60A, November 1, 1992.

Purpose of the program

The purpose of this program is to encourage teachers of Grades 7 and 8 in schools in Northern Ontario to plan a visit for their classes to the Ontario Legislature in Toronto and to such cultural attractions as the Royal Ontario Museum, the Ontario Science Centre, the Art Gallery of Ontario, and Ontario Place. The Ontario Young Travellers Program provides financial support for such visits.

Eligibility

Eligible schools are those that are north of the southern boundaries of the District Municipality of Muskoka and of Haliburton and Renfrew counties, and north of Highway 28 in Hastings County.

The following are eligible classes:

- Grade 8
- mixed Grade 7 and Grade 8
- Grade 7, if Grade 7 is the last grade in an elementary school

At the beginning of each school year, the ministry will inform school boards^[2] with eligible schools of a base annual subsidy allocation. A board may then submit an application to the ministry for all eligible, interested schools.

General terms and conditions

Application process

- School boards will coordinate the internal application process for all eligible, interested schools. Boards will review the submissions from individual schools. Boards must then list the schools in order of priority on the second page of the application form (see the Appendix) that they submit to the Ministry of Education.
- A school board may submit only one application.

- The application form will be signed by the director of education or, in the case of a school authority, the appropriate supervisory officer.
- The local regional office of the ministry must receive the completed application form by November 30 of the school year in which the proposed trips are to take place.

Approval and payment of subsidy

- The ministry will review all applications. Late applications will not be considered.
- In cases where a board's request for funding exceeds its base annual subsidy allocation, the ministry may provide an additional subsidy if funds are available. (Additional funds may be available if other boards do not require funding for such trips.) Funding is guaranteed only for the maximum amount of subsidy identified by the ministry.
- Boards will be notified of their subsidy amounts by the regional office no later than mid-January. If the number of students and chaperones actually travelling is less than the number specified on the application form, a revised calculation will be made. If the number of approved students and chaperones is greater than the number specified on the application, no adjustment in the subsidy amount will be made. Where boards incur additional costs related to meeting the needs of students with disabilities, consideration will be given to providing additional funds. (Additional funds may be available if other boards do not require funding for such trips.)
- Directors of Education will be required to sign a transfer payment agreement with the ministry.
- As part of this agreement, boards will be required to submit a brief report on their schools' trips and a complete financial statement no later than July 15 of the same school year. Funds will be transferred to the board upon receipt of the financial report indicating actual expenditures.

Travel arrangements

- The board is responsible for all arrangements for travel, accommodation, and excursions, including itineraries. For visits to the Ontario Legislature, the bilingual "Application for Tour of Legislative Building" form is provided separately along with this memorandum.
- Trips will be subject to all board policies and procedures pertaining to field trips, including requirements for liability insurance coverage and board compliance with the Human Rights Code.

Travel subsidy

The Ministry of Education provides a grant for each student and one chaperone per ten students. The program provides funding as follows:

- \$0.03 per kilometre towards the cost of travel from the school to Toronto and back
- \$46 towards the cost of meals and accommodation, if the school is more than 800 kilometres (one way) from Toronto

For schools without road access to a major centre, 50% of the cost of travel is covered for the most economical mode of travel – air or rail – to the nearest commercial centre. The normal subsidy schedule will be applied from that centre to Toronto.

Appendix: Application forms

Ontario young travellers program application form for school boards (<http://www.edu.gov.on.ca/extra/eng/ppm/Appendix60a.pdf>) (PDF, 14 KB)

Policy/Program Memorandum 59

Date of Issue: October 11, 1982

Effective: Until revoked or modified

Subject: Psychological testing and assessment of pupils

Application: Directors of Education
Principals of schools

When school boards are considering the provision of psychological services, the following principles should be taken into account:

1. Consistent with the Education Act and Regulations thereunder, where a school board chooses to provide psychological services, a role description and/or terms of employment satisfactory to the school board and the person(s) employed should recognize:
 - a. a. that before any psychological assessment is undertaken, the pupil, if he or she is an adult, or a parent, or guardian, if the pupil is a minor, must be informed of the purpose, nature and possible implications of the procedures, and must provide prior written consent for such assessment, based on the information provided
 - b. a. that psychologists providing such service function under the administrative supervision of the appropriate supervisory officer and, where performing their duties in a school, are subject to the administrative authority of the principal
 - c. a. that psychologists perform their professional duties within the rules of conduct which govern their profession at large
 - d. a. that responsibility for action related to judgements and recommendations as a result of psychological assessments rests with the school board through the appropriate supervisory officer, in consultation with the parent and with the parent's approval
 - e. a. that any service described by the use of the words "psychological", "psychologist", or "psychology" should be offered only under the supervision of or by a duly registered psychologist
2. services designated by a board as educational assessment or testing are not governed by the provisions of the Psychologists' Registration Act. School boards in providing assessments may utilize a variety of procedures and tests
3. care should be exercised in protecting the confidentiality of information. Since the reports of psychological assessments conducted under the aegis of a school board are for the educational benefit of the pupil, the subsequent recommendations should be discussed with parents, principals and appropriate teaching personnel
4. consistent with Regulation 271, Pupil Records, reports may be placed in the pupil's record folder. With the concurrence of the principal, such reports may be removed upon request of & parent or guardian or, where he or she is an adult, the pupil. It is recommended that reports no longer conducive to improvement of the pupil's program be removed from the record folder by the principal
5. in cases where reports or portions of reports of psychological assessments are to be shared with persons, outside the employ of the board, it is essential that written permission be obtained from the parent of the pupil, or from the pupil, if he or she is an adult
6. the administration and interpretation of the assessment must be made carefully, recognizing the impact of the pupil's culture and language facility on the results of the assessment. The assessment should be conducted in English for an English-speaking pupil and in French for a French-speaking pupil. If the pupil's first language is other than English or French and/or the pupil lacks facility in either of these languages consideration should be given to postponing the assessment or, where possible, conducting the assessment in the child's first language

Policy/Program Memorandum 53

Date of Issue: April 14, 2009

Effective: Until revoked or modified

Subject: Ontario Scholar program

Application: Directors of Education
Secretaries of School Authorities
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools
Principals of Inspected Private Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 53, May 25, 2004.

Introduction

This memorandum provides direction to school boards and schools concerning the designation of a student as an Ontario Scholar. The revised requirements, outlined in this memorandum, apply in the 2008-09 school year and in subsequent years.

Requirements

A student may be designated an Ontario Scholar if he or she satisfies *both* of the following requirements:

- he or she obtains an aggregate of at least 480 marks in any combination of ministry-approved courses listed below that provide a total of six credits, as defined by *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999 (OSS)* and/or *Ontario Schools, Intermediate and Senior Divisions (Grades 7–12/OACs): Program and Diploma Requirements, rev. ed., 1989 (OSIS)*
- he or she has been recommended by the school principal for the Ontario Secondary School Diploma (OSSD) in either the current school year or the previous school year

Ministry-approved courses are the following:

- any Grade 12 university preparation, university/college preparation, college preparation, workplace preparation, and/or open courses authorized under OSS, including locally developed courses approved by the ministry
- cooperative education courses related to any of the above courses
- dual credit courses in college-delivered dual credit programs approved by the ministry
- any Ontario Academic Courses (OACs) authorized under OSIS

Conditions of award

The following conditions will apply:

- a candidate's mark in any course shall be multiplied by the credit value of the course
- where a student obtains more than six credits in any combination of Grade 12 university preparation courses, Grade 12 university/college preparation courses, Grade 12 college preparation courses, Grade 12 workplace preparation courses, Grade 12 open courses, dual credit courses, and/or OACs, the highest marks will be used
- standing in *either* English for English-language schools *or* English for French-language schools (i.e., anglais/English under OSIS, English for French-language schools under OSS) may be counted, but not both
- standing in *either* French as a second language *or* français may be counted, but not both
- a student previously designated an Ontario Scholar is not eligible for a second award
- a student need *not* complete the courses in one school year in order to be designated an Ontario Scholar
- standing obtained at a conservatory or school of music – as outlined in section 2 of Policy/Program Memorandum No. 133, “Music Certificates Accepted for Credits”, January 5, 2004; in section 2 of appendix 4 of OSS; or in section 2 of appendix C of OSIS – may be considered for the purposes of the Ontario Scholar award

Reporting of Ontario Scholars to the ministry

Principals must indicate that a student is receiving the Ontario Scholar award when they submit students' final marks to OnSIS. Principals must also ensure that this information is provided for those students who have qualified for the award by attending summer school.

Ontario Scholar certificate

A student designated an Ontario Scholar will receive an Ontario Scholar certificate.

Policy/Program Memorandum 11

Date of issue: Revised 1982

Effective: Until revoked or modified

Subject: Early identification of children's learning needs

Application: Directors of Education
Principals of schools

References: Memoranda 1978-79:15; 1979-80:24

Each school board is required to have approved and in operation by September, 1981, procedures to identify each child's level of development, learning abilities and needs and to ensure that educational programs are designed to accommodate these needs and to facilitate each child's growth and development. These procedures are a part of a continuous assessment and program planning process which should be initiated when a child is first enrolled in school or no later than the beginning of a program of studies immediately following Kindergarten and should continue throughout a child's school life.

It is expected that school boards having adopted procedure known to be in tune with the development characteristics of young children will continue to refine them as staff knowledge and experience increases.

Some principles for early identification

1. Language development is a major component of early identification. It is important, therefore, that procedures used be in English for an English speaking child and in French for a French speaking child. Where a child's language is other than English or French, a reasonable delay in the language based aspects of assessment should be considered.
2. Teachers in consultation with parents must strive to know each child as soon and as thoroughly as possible in order to provide learning opportunities that will help each child. It is imperative that children and their parents do not feel that they are in an "examination-test" situation when information related to the provision of learning opportunities is obtained. Where necessary other professionals may assist in this process.
3. A variety of strategies should be used to maintain an ongoing review of each child's emotional, social, intellectual and physical development.
4. Continuous assessment from different perspectives should be followed up with suitable programs that reflect what is known about each child at any point in time. Such programs should be provided in an environment wherein the child feels secure.
5. Information derived from assessment should be treated as tentative and temporary; it is not appropriate to use these data to predict children's long-term achievements.
6. Teachers may identify some children with special needs who require further assessment. Teachers should consult with other professionals to determine appropriate learning programs.

Some resources for early identification

1. In recent years there has been much activity in the development of instruments for use in early identification procedures. Careful analysis and review of these instruments in the context of primary education is essential.
2. Research consistently confirms that a supportive teacher who implements programs suited to children's individual needs and who provides immediate, positive reactions about developing competencies and attitudes, is a very reliable authority for deciding what a child can and cannot do.
3. Teachers may need to reinforce their interview skills, their skills in interpreting different facets of child behaviour, and their abilities to recognize when other professional assistance is necessary. Inservice activities should be developed to accommodate these needs. Professional activity days could be used most effectively for this purpose.
4. Personnel within Ontario's 43 public health units may be able to assist school boards with relevant social and health information. Contact with the local medical officers of health is encouraged. In jurisdictions where parents provide teachers with social and health information, parents must be assured that the information will be kept confidential, and that it will be used in establishing good educational programs for children.
5. Within regional offices of the Ministry of Education, designated staff members have responsibility for assisting boards with matters relating to early identification.
6. A resource guide to *The Formative Years*, tentatively entitled "The Beginning Years of School" is being prepared by the Ministry of Education. This guide will provide suggestions for implementing early identification procedures within the context of early childhood programs.
7. The Ministry of Education has initiated a number of research studies designed to provide up-to-date information meeting the needs of young children. The reports are available either in microfiche or as bound copies from:
Ontario Government Bookstore, 880 Bay Street, Toronto, Ontario M7A 1N8
Learning abilities: identification and intervention practices (1981)
Mr. Iain Davidson, Dr. Margaret Hughes, Dr. Harry Silverman, Ontario Institute for Studies in Education. \$5.00
This study describes early identification procedures and intervention programs being used in Ontario, evaluates the reliability and

validity of these techniques, and outlines criteria for choosing appropriate instruments and procedures.

The Windsor early identification project (1976).

Dr. K. G. O'Bryan, Ontario Educational Communications Authority

The approach used in the Windsor Project was multi-disciplinary, involving educators, psychologists, the medical profession and the research team. The tests developed were designed for Windsor but have general applicability with some local modification. Bound copy: \$2.50; Microfiche (ON00565): \$1.50

Le projet de dépistage précoce de Windsor (1976)

Dr. K. G. O'Bryan, Ontario Education communications Authority

Bound copy: \$2.50; Microfiche (ON00565) \$1.50

Children's characteristics on school entry (1980)

(Junior Kindergarten, Senior Kindergarten and Grade 1)

Dr. G. A. V. Morgan, University of Guelph.

The research team developed a set of instruments and used them on a representative sample of children entering school for the first time to identify the skills and abilities that they had acquired. Data was also collected on parents' expectations of the school program well as the schools' expectations of the beginning children. \$5.00

Identification of learning disabilities in Ontario: A study of this validity of assessment instruments and procedures (1980)

Dr. Robert B. MacIntyre - Ontario Institute for Studies in Education.

In addition to examining instruments and procedures, the researchers studied the process used in schools to generate, apply and interpret data. The report includes an annotated list of major tests with a validity summary for tests specific to the learning disability issue.

Early childhood education: perceptions of programs and children's characteristics (1980)

Dr. M. W. Wahlstrom, Ontario Institute for Studies in Education.

Ontario programs for children aged three to eight are described and analysed. Issues relevant to Early Childhood Education are outlined and related to the delivery of services through the programs of various agencies. \$5.00

Kindergarten programs: effects of regular half day, alternate full day, and daily full day programs

Dr. Andrew Biemiller, University of Toronto.

The study examined the effects of the three types of program on the children's health, temperament, preferences and their skills in a variety of academic and social situations. Microfiche (ON01480) \$1.50

8. Many school boards have had early identification procedure in place for some time; they can provide valuable information to boards wishing assistance. A random sample of early identification programs around the province is presented in *Curriculum Connections* No. 14, October 1979, a publication available from the Ontario Association for Curriculum Development, c/o Edgewood Junior Public School, 230 Birkdale Road, Scarborough, Ontario, M1P 3S4.

A reference copy is held by the:

Information Centre

Ontario Ministry of Education

416-965-1451

Policy/Program Memorandum 9

Date of issue: January 7, 2019

Effective: Until revoked or modified

Subject: Duty to report children in need of protection

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Principals of Elementary Schools

Principals of Secondary Schools

Principals of Provincial and Demonstration Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 9, "Reporting of Children in Need of Protection", August 10, 2001.

Note: This memorandum reflects the *Child, Youth and Family Services Act*,^[1] which came into force on April 30, 2018.

Requirements for reporting

The *Child, Youth and Family Services Act* contains provisions under Part V, Child Protection, for reporting a child^[2] who is or may be in need of protection. If any person – “including a person who performs professional or official duties with respect to children” – has reasonable grounds to suspect that a child is or may be in need of protection, the act requires that the person report their suspicions “immediately” to a children's aid society and provide the information on which the suspicions are based. Therefore, teachers, principals, and other professionals who, in the course of performing their professional or official duties, suspect that a child is or may be in need of protection must report this information without delay to a children's aid society. Details are given in subsection 125(1), which is quoted below in its entirety:

125(1) Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall immediately report the suspicion and the information on which it is based to a society:

1. the child has suffered physical harm inflicted by the person having charge of the child or caused by or resulting from that person's
 - i. failure to adequately care for, provide for, supervise or protect the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child
2. there is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's
 - i. failure to adequately care for, provide for, supervise or protect the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child
3. the child has been sexually abused or sexually exploited by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual abuse or sexual exploitation and fails to protect the child
4. there is a risk that the child is likely to be sexually abused or sexually exploited as described in paragraph 3
5. the child requires treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide the treatment or access to the treatment, or, where the child is incapable of consenting to the treatment under the *Health Care Consent Act, 1996*, refuses or is unavailable or unable to consent to, the treatment on the child's behalf
6. The child has suffered emotional harm, demonstrated by serious
 - i. anxiety
 - ii. depression
 - iii. withdrawal
 - iv. self-destructive or aggressive behaviour, or
 - v. delayed development

and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child
7. the child has suffered emotional harm of the kind described in subparagraph 6 i, ii, iii, iv or v and the child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the *Health Care Consent Act, 1996*, refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the harm
8. there is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph 6 i, ii, iii, iv or v resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child
9. there is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph 6 i, ii, iii, iv or v and the child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the *Health Care Consent Act, 1996*, refuses or is unavailable or unable to consent to, treatment to prevent the harm
10. the child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide the treatment or access to the treatment, or where the child is incapable of consenting to the treatment under the *Health Care Consent Act, 1996*, refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition

11. the child's parent has died or is unavailable to exercise custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody
12. the child is younger than 12 and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the *Health Care Consent Act, 1996*, refuses or is unavailable or unable to consent to treatment
13. the child is younger than 12 and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately

In addition to the above-mentioned details, further details concerning the requirements for reporting are provided in subsections 125 (2), (3), and (4) of the act, as summarized below.

Duty to report is ongoing

Subsection 125(2) of the act states that the duty to report is an *ongoing obligation*. If a person has made a report about a child to a children's aid society and has additional reasonable grounds to suspect that the child is or may be in need of protection, that person must make a further report to the children's aid society.

Report(s) must be made directly to a children's aid society

Subsection 125(3) of the act requires every person who has reasonable grounds to suspect that a child is or may be in need of protection to make a report *directly* to a children's aid society and *not rely on anyone else* to report on their behalf.

Duty to report does not apply to older children

Subsection 125(4) of the act clarifies that, if the child is 16 or 17 years old, there is no duty to make a report, but a person may make a report concerning older children if either a circumstance or condition described in paragraphs 1 to 11 of subsection 125(1) or a prescribed^[3] circumstance or condition exists.

Note that the requirements for reporting stated in the act and outlined above do not prevent a school board from establishing additional policies on internal reporting procedures, but the school board's policies must not conflict with the reporting requirements of the act.

Consequences of failure to report

Subsection 125(5) of the act makes it an offence for *every* person performing professional or official duties with respect to children to fail to report a child who, they suspect, is or may be in need of protection. Subsection 125(6) expressly identifies teachers, designated early childhood educators,^[4] and school principals as such persons. If such professionals obtain information, *in the course of performing their professional or official duties*, that leads them to suspect that a child is or may be in need of protection, they must report this suspicion. If they do not report the suspicion, they are liable, upon conviction of the offence, to a fine of up to \$5000.

Protection for persons making reports

Under section 125 of the *Child, Youth and Family Services Act*, the duty of a professional or official to make a report overrides the provisions of any other provincial statute, including those legislative provisions that would otherwise prohibit the professional or official from disclosing confidential or privileged information. In other words, school principals, teachers, and designated early childhood educators must report that they suspect that a child is or may be in need of protection even if they believe that the information to be used to support the report is supposed to be confidential or privileged.

Subsection 125(10) provides that no action for making a report will be instituted against a person who acts in accordance with the duty to report in section 125, unless the person acts maliciously or without reasonable grounds for the suspicion.

Investigation

Under clause 35(1)(a), it is the responsibility of the children's aid society to investigate allegations or evidence that a child is or may be in need of protection. In addition, it is the responsibility of the children's aid society that receives a report under section 125 to, as soon as possible, carry out an assessment and verify the reported information, or ensure that the information is assessed and verified by another children's aid society.

Directors of Education

Directors of Education should ensure that:

- all staff members are aware of, and understand, the relevant sections of the *Child, Youth and Family Services Act*, particularly the requirement to report suspected cases of children in need of protection
- school board policies and procedures on reporting suspected cases of children in need of protection conform with the provisions of the *Child, Youth and Family Services Act*

For further details, please see the *Child, Youth and Family Services Act* (<https://www.ontario.ca/laws/statute/17c14>).

Policy/Program Memorandum 8

Date of Issue: August 26, 2014

Effective: Until revoked or modified

Subject: Identification of and program planning for students with learning disabilities

Application: Directors of Education

Supervisory Officers and Secretary-Treasurers of School Authorities Superintendents of Schools

Principals of Elementary Schools Principals of Secondary Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 8, "Learning Disabilities", revised 1982.

Introduction

The ministry is committed to fostering a caring and safe learning environment in Ontario schools to support the success and well-being of all students, including students with learning disabilities.

This memorandum sets out requirements for school boards^[1] for the identification of and program planning for students who have learning disabilities. It provides the ministry's definition of the term *learning disability*, which must be used by an Identification, Placement, and Review Committee (IPRC) in the identification of students who have learning disabilities.^[2]

Information in the "Program Planning" section on pages 4–6 of this memorandum also applies to *any other students* who demonstrate difficulties in learning and who would benefit from special education programs and/or services that are appropriate for students with learning disabilities.

Definition of the term *learning disability*

The Ministry of Education defines *learning disability* as one of a number of neurodevelopmental disorders that persistently and significantly has an impact on the ability to learn and use academic and other skills and that:

- affects the ability to perceive or process verbal or non-verbal information in an effective and accurate manner in students who have assessed intellectual abilities that are *at least* in the average range
- results in (a) academic underachievement that is inconsistent with the intellectual abilities of the student (which are at least in the average range) and/or (b) academic achievement that can be maintained by the student only with extremely high levels of effort and/or with additional support
- results in difficulties in the development and use of skills in one or more of the following areas: reading, writing, mathematics, and work habits and learning skills
- may typically be associated with difficulties in one or more cognitive processes, such as phonological processing; memory and attention; processing speed; perceptual-motor processing; visual-spatial processing; executive functions (e.g., self-regulation of behaviour and emotions, planning, organizing of thoughts and activities, prioritizing, decision making)
- may be associated with difficulties in social interaction (e.g., difficulty in understanding social norms or the point of view of others); with various other conditions or disorders, diagnosed or undiagnosed; or with other exceptionalities

- is *not* the result of a lack of acuity in hearing and/or vision that has not been corrected; intellectual disabilities; socio-economic factors; cultural differences; lack of proficiency in the language of instruction; lack of motivation or effort; gaps in school attendance or inadequate opportunity to benefit from instruction

Recognition and identification of learning disabilities

Many students with learning disabilities have already shown precursors or signs of learning disabilities before they enter school – such as language delays; difficulties with rhyming, counting, or fine-motor skills; or behavioural manifestations. However, for most students with learning disabilities, difficulties in learning may not be noticed until the early school years. After a period of instruction that has taken into account individual students' strengths and needs, it will become evident that some students who are experiencing difficulties in learning may potentially have a learning disability.

Learning disabilities range in severity. Their impact may vary depending on the environmental and cognitive demands on the student, the instructional strategies employed, and the individual student's profile and age.

Early and ongoing screening

School boards are required to implement procedures for early and ongoing identification of the learning abilities and needs of students.

^[3] These procedures are part of a process of continuous assessment and program planning that should begin when a student is first enrolled in school and should continue throughout a student's school life.

Early screening and interventions are important in determining whether a student's difficulties in learning may be due to learning disabilities. Although learning disabilities are more commonly evident in primary grades, they may become evident at any stage in a student's development. For some students, learning disabilities may only become apparent as the students progress through the later elementary or early secondary grades when academic work and social demands increase in complexity.

Assessments

If assessment and instruction, including early intervention strategies, have been tailored over a period of time to a student's strengths and needs; if the student's progress has been closely monitored and assessed; and if the student persistently demonstrates key characteristics of potential learning disabilities, the student should be considered for more in-depth assessments.

Identifying learning disabilities requires the use of information from multiple sources. School boards are encouraged to use a multidisciplinary approach to assessing and identifying learning disabilities.

Assessments typically should include the following:

- information provided by the parent(s),^[4] the student, and the educator(s) (e.g., the language spoken at home, developmental history, observations in the classroom)
- educational history
- medical information (e.g., information on vision, hearing, and physical condition)
- educational assessments and/or other professional assessments (e.g., psycho-educational and/or psychological assessments, other assessments by health professionals)

Assessment measures should be based on Canadian norms, where possible; be culturally sensitive; and be provided to the student in accessible format, as required (e.g., sign language, Braille, large print).

Assessment results should be conveyed using standard scores instead of grade levels or age and/or grade-level equivalencies.

All psycho-educational and psychological assessments must be performed by or under the supervision of a qualified member of the College of Psychologists of Ontario, with informed consent from the parent(s).

The results of the assessments must inform the development of the student's Individual Education Plan (IEP).

Various factors and conditions (e.g., physical limitations, gender, cultural differences) that are *not* aspects of learning disabilities should also be taken into account when determining whether a student has a learning disability. Such factors and conditions may further complicate the recognition and identification of learning disabilities, and they may contribute to or exacerbate the challenges that students with learning disabilities may face.

Program planning

This program planning section applies to the following students:

- students who have been identified as exceptional by an IPRC
- any other students who demonstrate difficulties in learning and who would benefit from special education programs and/or services that are appropriate for students with learning disabilities

The determining factor for the provision of special education programs or services is not any specific diagnosed or undiagnosed medical condition, but rather the needs of individual students based on the individual assessment of strengths and needs.

Assessment results should inform the description of a student's strengths and needs and be used to determine special education programs and/or services for the student. The school principal may decide to develop an IEP for a student who demonstrates difficulties in learning and who would be likely to benefit from a special education program and/or services appropriate for students with learning disabilities.

If a student has been identified as exceptional by an IPRC, the school principal shall take into consideration the following:

- the recommendations on identification and/or placement made by an appeal board to the school board
- the recommendations of the IPRC, the school board, or the Ontario Special Education Tribunal regarding the exceptional student's special education program and/or services^[5]

Special education programs may be delivered through a range of placements. Students may benefit from assessment and instruction that is personalized, precise, explicit, and intensive, as required. Special education programs and/or services should be made available by the school board to help students with learning disabilities to access the Ontario curriculum expectations. Since students who have learning disabilities have at least average intellectual abilities, the special education program and/or services they receive should reflect and nurture these abilities.

The IEP reflects the unique learning profile (e.g., cognitive processes) of the student and the severity of the student's learning disability or disabilities. Principals should ensure that parents, students (where appropriate), and relevant school personnel are invited to participate in the IEP development process.

School boards, schools, and educators may put intervention strategies in place to support students with learning disabilities through a tiered approach,^[6] in which high-quality, evidence-based assessment and instruction are systematically provided and respond to an individual student's strengths and needs. The nature, intensity, and duration of interventions are always determined on the basis of evidence gathered through frequent and systematic monitoring of the student's progress. Systematic, sequential instructional approaches use specific instructional interventions of increasing intensity to address targeted learning needs of students with learning disabilities.

The following assessment and instructional approaches and intervention strategies, which can be used along with a tiered approach with greater personalization and precision, should be considered in supporting the learning and teaching of students with learning disabilities:

- *Universal Design for Learning.* The principles of Universal Design for Learning (UDL)^[7] should be applied to assist educators in designing products and environments (e.g., teaching strategies; pedagogical materials and tools, including technologies) to support students with learning disabilities in accessing the Ontario curriculum
- *differentiated instruction.* Students with learning disabilities may particularly benefit from assessment and instruction that are differentiated to take into consideration their strengths, interests, learning styles, and readiness to learn. Any of the following elements can be differentiated: the content of learning (what students are going to learn, and when); the process of learning (the types of tasks and activities); the products of learning (the ways in which students demonstrate learning); and the affect/environment of learning (the context and environment in which students learn and demonstrate learning).^[8]

The IEP of students with learning disabilities may include the following special education program strategies, with the goal of providing a program that maximizes the student's ability to access the curriculum:

- instructional, environmental, and assessment accommodations should be provided, as appropriate, so that the student is able to access grade-level curriculum expectations and to demonstrate learning
- modification of learning expectations may include the use of expectations at a different grade level and/or an increase or decrease in the number and/or complexity of expectations. Modified learning expectations that are drawn from a lower grade level will only be considered if the student cannot demonstrate learning with the aid of any of the approaches and/or strategies described above

- alternative expectations and/or courses that are not derived from an Ontario curriculum policy document (e.g., expectations focused on social skills, self-advocacy, transition planning, study skills) will be developed as needed

Transition planning must be considered as part of the IEP development process when developing programs for students with learning disabilities, in accordance with Ontario Regulation 181/98 and Policy/Program Memorandum No. 156, "Supporting Transitions for Students with Special Education Needs", February 1, 2013, and *Creating Pathways to Success: An Education and Career/Life Planning Program for Ontario Schools – Policy and Program Requirements, Kindergarten to Grade 12, 2013*. Transitions for students with learning disabilities occur in a variety of contexts: upon entry to school; between grades; from one program area or subject to another; when moving from school to school or from an outside agency/facility to a school; from elementary to secondary school; and from secondary school to the next appropriate pathway (e.g., work, further education, apprenticeship).

Implementation

The requirements set out in this memorandum will take effect January 2, 2015. School boards and the ministry will monitor the implementation of the requirements of this memorandum through existing accountability mechanisms.

Resources

The field of learning disabilities is constantly evolving as new strategies, tools, and technologies become available. School boards are encouraged to make use of a growing body of knowledge about educational practices, tools, and strategies that are effective for students with learning disabilities. Boards may seek community partners who can provide support for students with learning disabilities and their families.

Policy/Program Memorandum 1

Date of issue: April 2, 1986

Effective: Until revoked or modified

Subject: Ontario schools for the blind and deaf as resource centres

Application: Regional Directors of Education
Superintendents of Schools
Directors of Education
Principals of Schools

Reference: This memorandum replaces Policy/Program Memorandum #1, revised 1982.

The Ontario Schools for the Blind and Deaf have been resource centres for the hearing impaired and visually impaired since 1971. The schools recently underwent an extensive reorganization to permit them to discharge their mandate more effectively. Most significant among the many changes was the formation of a separate and identifiable resource services program within each school to enhance the schools' capability to provide appropriate services to school boards and agencies that have hearing impaired, visually impaired, and deaf-blind pupils in their jurisdictions. This role takes on increased significance with the full implementation of the Education Amendment Act, 1980 (Bill 82).

The services available to boards and agencies without charge are outlined on the following pages. It should be noted that all services are available in English or French.

Audiological services

- a) Assistance in implementing hearing-screening programs
- b) Testing of individual pupils referred by:
 - i) pure-tone air and bone-conduction audiometry
 - ii) speech audiometry, including articulation function
 - iii) acoustic impedance measurements
 - iv) hearing-aid selection studies

- v) electro-acoustical-evaluation of individual hearing aids
- c) Counselling of parents and teachers on hearing-aid use, maintenance and effectiveness of group hard-wire, frequency modulation (FM) systems, infra-red systems, and new technology as it is developed

Psychological and assessment services

- a) Administration and interpretation of intelligence tests
- b) Language assessment evaluations
- c) Academic achievement evaluations
- d) Differential diagnosis of language-impaired children
- e) Visual-functioning assessment evaluations

Educational consultative services^[1]

- a) Consultation in preparing and updating board plans for hearing- and visually-impaired resident pupils
 - b) Recommendations regarding the setting up of programs, including equipment needs
 - c) Information and advice on the integration of hearing- and visually-impaired pupils into regular classes and schools
 - d) Monitoring of hearing- and visually-impaired children in board programs
 - e) Counselling and advice for parents of preschool children whose hearing problems are diagnosed prior to school registration
- Note:** Preschool educators or parent advisors can conduct home visits of up to one half-day per week to advise parents and assist in providing programming for their preschool deaf or deaf-blind child in the home. The preschool educator can also arrange to visit Primary teachers when pupils enter Kindergarten or Grade 1 programs.

Where feasible, local nursery programs may be established. Courses which include lectures and demonstrations are offered for parents of preschool hearing-impaired and deaf-blind children with a view to helping them to better understand the particular problems of these children.

Professional development services

- a) Presentations to board supervisory personnel and principals concerning the provision of appropriate programs for hearing- and visually-impaired children.
- b) Resource workshops to assist local school staff to more effectively serve hearing- and visually-impaired pupils.
- c) Provision of selected reading materials to board professional staff.

Learning materials and media

- a) *Braille and audiotape materials for blind and deaf-blind pupils*

As a provincial centre for the visually impaired, the W. Ross Macdonald School in Brantford provides school boards in Ontario with some of the braille and large-print textbooks and audiotapes needed for the blind and visually impaired pupils who are being educated through local programs. The production of braille, large-print, and tape materials is both costly and time-consuming; it is therefore important to submit requests for materials well ahead of time and to explore alternatives to producing new titles in braille, large print, or on tape. For these reasons, texts listed in *Circular 14* will be given priority for production.

Other specialized materials for print-handicapped pupils in local programs continue to be a board responsibility. These special materials may be prepared by:

- i) specialist teachers of the blind
- ii) volunteer braillists or readers on tape
- iii) teaching assistants with appropriate training

An alternative is the purchase of braille tactile or other special format materials from commercial producers or the CNIB. Professional staff from the W. Ross Macdonald School are available to help boards locate resources for their special programs and explore alternative methods of providing the materials needed for blind pupils. The ministry encourages ongoing liaison between the W. Ross Macdonald School and qualified teachers of the blind employed by school boards to strengthen local programs for blind pupils.

Requests for braille, large-print, and audiotape materials should be addressed to:

Resource Services Library
The W. Ross Macdonald School
350 Brant Avenue
Brantford, Ontario
519-759-0730

b) *Media for Pupils With Communication Exceptionalities*

The Provincial Schools Media Centre in Belleville will assist school boards to obtain copies of open-captioned video programs for classroom use. The Media Centre has developed a library of appropriately captioned video programs which are used in the provincial schools.

Information regarding program titles available, how they may be obtained, and conditions pertaining to their use may be obtained from:

Provincial Schools Media Centre
350 Dundas Street West
Belleville, Ontario
K8P 1B2
613-962-5361

Designated board-liaison persons

Each board is requested to designate a particular individual to act as the official liaison person with the W. Ross Macdonald School for services pertaining to visually impaired and deaf-blind students and with its regional resource centre for the hearing impaired for services pertaining to hearing-impaired students. Effective liaison will promote co-operation and co-ordination of activities and help the provincial schools to respond to the requests submitted in an efficient manner. Provincial schools will continue to inform boards whenever a preschool hearing-impaired child is added to their preschool home visiting lists in order to keep boards forewarned of possible future needs for service.

Requests for resource services

Requests for resource services support should be submitted by the official liaison person of the board to the Program Director, Resource Services, at the appropriate provincial school.

Application for admission to provincial schools

Applications for admission of pupils who have been identified by a board Identification, Placement, and Review Committee as potential candidates for a program at a provincial school should continue to be made to the superintendent concerned.

Programs in lieu of provincial services for the blind and the deaf

Applications for funding of programs in lieu of provincial services for the blind and the deaf must be submitted through the appropriate regional director of education (Policy/Program Memorandum 76C).

School addresses, telephone numbers, and Catchment areas

The addresses, telephone numbers and catchment areas of the four provincial schools are as follows:

The W. Ross Macdonald School (blind and deaf-blind pupils)
350 Brant Avenue
Brantford, Ontario
N3T 3J9

- English: 519-759-0730
- French^[2]: 705-673-5621 ext. 254

Catchment area: All boards in Ontario

The Sir James Whitney School (deaf pupils)
350 Dundas Street West
Belleville, Ontario
K8P 1B2

- English: 613-962-5361
- French: 613-962-5619
- Toll-free TTY: 613-962-6566

Catchment area: All boards in the Eastern, Northeastern, Midnorthern, and Northwestern Ontario regions, plus the Durham Board of Education Durham Region R.C.S.S. Board, Haliburton Board of Education, Hastings County Board Education, Hastings-Prince Edward County R.C.S.S. Board, Prince Edward County Board of Education, Northumberland and Newcastle Board of Education, Peterborough-Victoria-Northumberland and Newcastle R.C.S.S. Board and Victoria County Board of Education.

The Ernest C. Drury School (deaf pupils)

255 Ontario Street South

Milton, Ontario

L9T 2M5

- 416-878-2851
- Toll-free TTY: 416-878-7195

Catchment Area: All boards in Central Ontario Region except those served by Whitney and Robarts

The Robarts School (deaf pupils)

1090 Highbury Avenue

London, Ontario

N5Y 4V9

- Voice and TTY/TDD Service: 519-453-4400

Catchment Area: All boards in the western Ontario Region, plus the Brant County Board of Education, the Brant County R.C.S.S. Board, Haldimand. Norfolk R.C.S.S. Board, and Norfolk Board of Education.