Ontario

Ministry of Education   **DRAFT Policy/Program Memorandum**

Date of Issue: **DRAFT:** November 4, 2020

Effective: XXXX, 2020

Subject: School Board Teacher Hiring Practices

Application:

Reference: This memorandum is effective following the revocation of Ontario Regulation 274/12, "Hiring Practices" on XXXX, 2020.

Purpose

The Ministry of Education is committed to having the best education system in the world in order to prepare our students[1] for success, now and in the future. To achieve this, it is critical to have a well-prepared, diverse, and qualified teacher workforce with the knowledge, skills, and attributes needed to ensure students reach their full potential.

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 that will improve the ability to achieve and maintain a strong and diverse teacher workforce. 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 XXXX, 2020.

This memorandum is informed by leading research on pedagogy and best practices on creating a strong 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 and in the development of a diverse teaching workforce.

Expectations for School Board Hiring Policies

[1] In this memorandum, unless otherwise stated, *student(s)* includes children in Kindergarten and students in Grades 1 to 12.
[2] In this memorandum *school board(s)* and *board(s)* refer to district school boards, school authorities, and Provincial and Demonstration Schools (including the schools operated by the Centre Jules-Léger Consortium).

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.

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 providing the best possible education program for students and ensuring their safety and well-being.

All school boards in Ontario's publicly funded education system are expected to establish fair, consistent, and transparent policies for teacher hiring, including ways to maximize employment opportunities for new teachers entering the profession. 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 components in their teacher hiring policies:

- Diversity, Equity, and Human Rights
- Qualifications and Merit
- Employment Mobility
- Fairness and Transparency
- Monitoring and Evaluation

Diversity, Equity, and Human Rights

The promotion of human rights and equity is vital to achieving a diverse and representative teacher workforce to meet needs of an increasingly diverse student body. There is a positive effect on the educational experience and outcomes of historically under-served students when teachers reflect their identities. The way to achieve a diverse and representative workforce is to:

- ensure all employment policies and practices are non-discriminatory;
- work to intentionally identify and remove barriers for marginalized 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, all steps – to ensure that no stage creates a barrier for candidates from under-represented backgrounds.

Qualifications and Merit

Although teacher hiring policies must adhere to the qualification requirements set out in Regulation 298, "Operation of Schools – General", school boards should also consider the importance of the following when developing their selection and evaluation criteria:

- valuing applicants' additional experiences, skills, backgrounds, and work experience (e.g., the unique perspectives offered by newly qualified teachers; the ability to speak languages in addition to English or French; professional experience outside of the classroom; other experiences of well-rounded candidates, such as the ability to lead a school choir or orchestra);
- promoting the hiring of staff from under-represented groups;
- 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;
- responding to local needs based on clearly defined criteria, including qualifications.

Employment Mobility

The teacher hiring process should address employment mobility by:

- permitting qualified teachers who have relocated from other school boards in Ontario to be granted an interview;
- enabling all teachers, including those who have relocated from another board, to be eligible to apply for any position (occasional, long-term occasional, or permanent) for which they are qualified.

Fairness and Transparency

To help ensure that candidates are evaluated through a fair and transparent process, teacher hiring policies should include:

- a conflict of interest disclosure policy (e.g., clear steps to avoid nepotism and ensure that a balance of hiring panel perspectives is embedded in all aspects of the hiring process). 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 ensuring adherence to the bona fide (or "legitimate") job requirements and qualifications, while following the requirements as outlined in Regulation 298, "Operation of Schools – General";
- a process and criteria for internal postings and external postings (e.g., for establishing minimum posting dates);
- a requirement to maintain up-to-date lists of employment-seeking early-career teachers, with current contact information;
- processes for registering and communicating with occasional teachers;
- regular recruitment and interview cycles;
- expectations for diverse hiring panels to 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 – for example, verbal (interview, presentation) and written components;
- provision for structured evaluation criteria and questions that prevent selection bias;
- a process for providing interview feedback for candidates, upon request; and,

- a process for the disclosure of information to the Occasional Teachers' Bargaining Unit.

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. This process should include:

- assessing the skills of their teacher workforce and identifying any gaps;
- determining the diversity of their teacher workforce and identifying any gaps in representation;
- ensuring that all employment policies, procedures, and practices are non-discriminatory.

Effective practices for monitoring and evaluation are outlined below to support school boards in this review process.

Effective Practices

To implement the expectations outlined in this memorandum and to ensure 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. The ministry recommends that school boards develop the following effective practices where they are not already in place:

Candidate Selection

New Teachers

Hiring policies should acknowledge the importance of supporting the 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 of perspectives;
- 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 and representative of the community. Inequitable representation of historically disadvantaged groups in the workforce can lead to inequities in educational experiences and outcomes for excluded or marginalized students.

As stated above, school boards should examine each part of the teacher hiring process – from setting job requirements to the recruitment, application, screening, interview, and selection processes – to ensure they are not creating barriers for candidates from various under-represented backgrounds.

Special Programs

The Ontario *Human Rights Code* enables organizations to create temporary special measures, referred to as "special programs", to address the effects of systemic discrimination. Special programs help to promote substantive equality by creating opportunities for people and groups who face disadvantage and discrimination. Where people from specific marginalized communities are demonstrably under-represented in a board's workforce, well-designed special programs can allow boards to preferentially hire people from these communities. Such programs are expressly protected under the Code.

Monitoring and Evaluation

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.

Several boards in the province have collected voluntary workforce data through a staff census. When analysing census results, it may be helpful for school boards to 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 to meet the needs of the school board community?

Fair and equitable teacher hiring practices need to address under-representations in the existing workforce, and these under-representations are best identified through voluntary demographic data collection. 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.