



Bill 177 – Provincial Interest Regulation Consultation Paper Submission to the Ministry of Education

Introduction

The Ontario Secondary School Teachers' Federation is pleased to present its views on the Provincial Interest Regulation to the Ministry of Education.

OSSTF/FEESO is a trade union which represents 60,000 members across the province of Ontario. The union works to protect our diverse membership which is represented in 140 bargaining units across the province. OSSTF/FEESO bargaining units represent both English and French members in public and separate elementary and secondary school workplaces, private schools and consortia, offering support services to school boards and universities.

With Bill 177 embedding student achievement in the day to day operations of a school board, the development of a Provincial Interest Regulation outlining when and how the Ministry of Education could intervene to supervise a board raises grave concerns for OSSTF/FEESO. Bill 177 and the Provincial Interest Regulation in particular, only serve to weaken school board governance and erode credit integrity.

Bill 177, as proposed, not only does not support the efforts of education employees and trustees working with and on behalf of students, it undermines their efforts. The legislation does not recognize special circumstances that boards may face in effectively serving special needs or at risk students that may not translate into appropriate test scores, success rates or graduation rates.

It does not even support real student achievement. Instead, it promotes a system where statistical excellence is the goal and not quality education. Unfortunately, this legislation will not increase public confidence in education; it will diminish that confidence by creating an education system where authentic learning and assessment and evaluation are replaced by the fear of not measuring up to a benchmark, thus avoiding triggering intervention by the Ministry of Education.

OSSTF/FEESO has consistently stated, in numerous recommendations to the Ministry on a variety of achievement-related issues, that standardized test scores and graduation rates alone are not the measure of student success. They should also not be the sole indicators that trigger the need for intervention by the Minister of Education.

OSSTF/FEESO has a number of policies on student evaluation and assessment that clearly reflect the concerns our members have regarding the pursuit of the achievement agenda at all costs. The following are excerpts from OSSTF/FEESO policies formulated and endorsed by teachers and support staff who work with students in classrooms across the province:

- It is the policy of OSSTF/FEESO that province-wide, system-wide, or international tests should not be used in the supervision or evaluation of teachers or to compare schools and/or district school boards.
- It is the policy of OSSTF/FEESO that, if province-wide or system-wide tests are used, then they should:
 - take into account the diversity of the student population in Ontario;
 - be based on curriculum objectives;
 - be used to make recommendations to improve student achievement;
 - be used to make recommendations to improve teaching strategies and/or modify program;
 - be free from discriminatory bias;
 - be reported to the student and parent by appropriate personnel who have access to pertinent printed information;
 - be accompanied by current information useful to interpreting scores from test programs.

In response to the specific questions raised in the consultation paper, OSSTF/FEESO's responses follow below:

Annual Reports

- A. *Should the annual report address any other issues in addition to those proposed in this consultation document?*
- B. *Are the indicators identified sufficient for a comprehensive assessment of each of the goals (i.e. student outcomes, effective stewardship, parent involvement)?*

OSSTF/FEESO believes there should be additional information contained in the annual report based on expanding the nine triggers currently identified, to include:

- A measure of the physical environment including equipment and accommodation
- Staffing levels of teachers and school/board support staff
- Employee ↔ employer relationships – for example, is there adherence to the collective agreement?
- A measure of leadership succession planning and leadership participation at the school level
- School configuration

OSSTF/FEESO also believes that school safety and all the factors that contribute to a positive learning environment should be included in the broad indicators. This of course would also include rates of suspension, as is currently outlined under 3(iii) student well-being. Improving the learning atmosphere by reducing student suspensions is a legitimate goal but it is crucial that this goal is not misinterpreted. Reducing suspension rates at all costs and not targeting resources and staff to address the real underlying causes of inappropriate student behaviour such as gender-based harassment, homophobia and bullying is counter-productive and will result in more serious issues having to be tackled.

- C. *Should boards be required to report on all indicators in each annual report or:*
- a. *report on some indicators one year, other indicators in a second year, and the last set of indicators in a third year?*
 - b. *if 'a' above is preferred, should all boards have to report on the same indicators for the first, second, and third years, or should this be at the discretion of the board?*

Gathering all of the information required to compile the Annual Report will be a daunting task for school boards; however, OSSTF/FEESO believes that boards should report on all indicators each year until they reach an appropriate threshold identified by the government. At that point, the boards could report every other year on all indicators. Reporting on all indicators is necessary if the government feels there are connections between the indicators. This will also ensure that there is a consistent collection of data for analysis across boards.

If there are delays in reporting on individual indicators, the effects on achievement or gaps in service will not become readily apparent for an extended period of time. It is also evident that additional staff will be required to assist in the compilation of this data as this task cannot just be added on to present staff's duties.

Proposed Triggers for Ministry Response

- A. *Are the proposed triggers appropriate/reasonable?*

It is difficult to determine whether the triggers are appropriate/reasonable at this time. There is no indication of how those percentages were selected or what factors were taken into consideration when selecting them. However, at first glance, the percentages for intervening appear high. Mid-level criteria could be established, to signal much earlier, that there are special circumstances that need to be addressed.

B. Are there any other triggers that could be used to identify boards that have significant and persistent problems over a period of time?

It is not useful to look at any issue in isolation. Reviewing both successful and unsuccessful boards and identifying their differences could provide some useful information in determining how to support boards that are experiencing challenges. This would also assist in creating an inventory of best practices of successful boards that could be used as a tool to identify areas that require improvement in boards suffering significant challenges.

In addition, the Ministry must review the goals set by the school boards to ensure that they are both appropriate and attainable.

C. How do we balance specific measures of academic achievement with broader indicators of board improvement?

Achieving this balance is not possible. Academic achievement is the ultimate goal, but OSSTF/FEESO believes that student achievement without credit integrity is a false promise to students, parents and the public.

OSSTF/FEESO wants to ensure that students graduate from high school with the requisite skills and knowledge to prepare them for their next destination in the future, not dismiss them because their test scores do not meet a provincial average.

OSSTF/FEESO's viewpoint is shared by parents and school boards consulted in the governance review. A school board stated that... "accountability implies some sort of measurement of our 'product', the young people we serve. While testing and other tools used to measure student achievement are useful, they can never tell the whole story. Student success is more than graduation rates and test scores." The Committee's report also stated that "parents are particularly adamant that student success should not be defined exclusively by provincial assessment scores."

D. If we used other "triggers" for broader indicators such as parent involvement or student well being, what should those triggers be?

Defining the triggers for broader indicators such as parent involvement or student well being is a difficult task as these indicators can be very subjective. What do positive and effective parent involvement or authentic student well being look like? If there is a trigger for Ministry response in terms of broader indicators, there must be an objective threshold that can be clearly identified and evaluated and is within a board's control.

Proposed Process

A. Is the proposed graduated mechanism of interventions reasonable and appropriate?

There should be lower thresholds for assistance. Minor funding could be made available for assistance at a level lower than the intervention threshold. By addressing issues early and proactively, including providing funding assistance and appropriate resources, the Ministry can prevent a board's challenges from becoming insurmountable and threatening students' success.

B. Are there any other steps that should be considered in the proposed stages of supportive intervention?

In addition to the steps outlined, another should be added which ensures that the Ministry's letter is copied to the unions representing the staff employed by the school board.

At an early point in the intervention steps, the Ministry should also meet with the Board, and the unions, to discuss concerns and outline any course of action being proposed. Finally, measures need to be in place to ensure that school board employees are not adversely affected by the actions of a supervisor. For example, the achievement agenda should not form part of a board employee's performance appraisal. As well, it should not prohibit an educational worker or administrator from exercising their professional judgement or ensuring a safe educational environment.

Conclusion

A student's/school's/board's success cannot be measured by test scores, credit accumulation or graduation alone. Ensuring that school boards are able to provide the necessary staff, resources, programs and supports to enable students to achieve their goals and be prepared for their futures is an important task entrusted to the Ministry of Education. Balancing the need for support and the necessity of intervention is difficult, but the Ministry must always ensure that any actions it takes truly puts students first and everything else second. OSSTF/FEESO does not support Bill 177 as proposed, as this is clearly not the case. OSSTF/FEESO calls upon the government to delay final reading of Bill 177 and move to real public consultation on the legislation and its impact upon school board governance, student achievement, authentic assessment and evaluation and credit integrity.

OSSTF/FEESO will continue to work with the government on education-related initiatives to protect and enhance public education.