

POLICY TRENDS IN ONTARIO EDUCATION

1990-2003

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Education policy in Ontario underwent significant change in the 1990s and the early years of the 21st century. Changes occurred in many areas of education policy influence, including curriculum, program structure, provisions for student diversity, accountability, governance, funding, teacher professionalism, teacher working conditions, school safety, and school choice. Political control over the provincial government shifted from David Peterson's Liberal Party(1986-1990) to the New Democratic Party led by Bob Rae (1990-1995) and then to the Conservative Party and Mike Harris (1995-2002) and his successor Ernie Eves (2002-present). Notwithstanding differences in political ideologies of these governments, the evolution of education policy in the province has been remarkably consistent in direction in all but a few areas. All the governments, for example, initiated and supported policies that have led to increased accountability through curriculum, assessment and reporting of student progress, provincial testing of student performance, and regulation of teacher professionalism. While changes in governance, such as the creation of school councils and school board amalgamation, and in the financing of education to achieve more equitable student funding, were enacted by the Conservatives, these and several other focuses of policy change were actively considered by prior Liberal and NDP governments. Some areas where there has been more fluctuation in policy between governments concern academic streaming in the secondary education program, race and gender equity, and provisions for early childhood education.

This paper provides an overview and narrative of education policies, policy trends and debates in Ontario from 1990 to 2003. For the period 1990-1998 the review refers to key original sources, but draws respectfully upon R.D. Gidney's landmark history of Ontario education policy from the 1950s onward through the first three years of the Harris government's "Common Sense Revolution" (Gidney 1999). We begin with a chronological account and summary of the major policy initiatives and policies undertaken from 1990 to 2003. This will set the context for a thematic discussion of policy trends associated with different focuses of policy influence (e.g., governance, funding, accountability, professionalism). This is necessary because some of the key policy reports and policies referred to in the discussion, such as the 1995 *Royal Commission on Learning* and Bill 160 in 1997 cover multiple domains of policy, and require some introduction.

Chronology of Education Policy

Policy Trends 1960-1990

The decision to mark 1990 as the starting point for this story is arbitrary but convenient, since there was a change of government that year following the defeat of David Peterson's Liberal government by Bob Rae and the New Democratic Party (NDP). Reference to some of the policy initiatives and trends that preceded this change, however, will help contextualize the changes that occurred under the NDP and the Conservative governments in the 1990s and beyond. From a historical perspective, both the Liberal and the NDP governments were anomalies in Ontario's political history. The Conservatives were in power for over 30 years prior to Peterson's election in 1986. The NDP never held control of the provincial government prior to Rae. After a 10 year absence, the Conservatives returned to power in 1995. Policy priorities within the Conservative government of the 1990s were significantly different from that of the prior era, reflecting contemporary neo-Conservative agendas such as reduced government spending, privatization, and greater performance accountability for public services.

Under the Conservative government in the 1960s, 1970s, and 1980s, changes in Ontario education reflected many of the ideologically liberal policy trends experienced across North America throughout that era. Examples included an elementary school curriculum steeped in philosophies of student-centred learning, active learning, and individualization according to student learning styles, developmental and academic progress, and interests (*The Formative Years, 1975; Education in the Primary and Junior Divisions, 1975*); mandatory provision and funding for special education (*Bill 82, 1982*); and steps towards increased access to early childhood education in the form of junior and senior kindergarten. The secondary school program shifted to a credit system to allow greater range and choice in courses, eliminated promotion by grade, and abandoned secondary school exit exams as a requirement for graduation. It continued, albeit in varied formats, the practice of sorting secondary school students into program streams aligned with entry to alternative post-secondary destinations -- university, community college, the workforce.

In the 1960s and 1970s provincial curriculum policies changed from an era in which provincial curriculum documents prescribed expectations for content coverage by subject area and grade level in the elementary panel, and by subject area and course in the secondary panel. Provincial curriculum "guidelines" became *de jure*. While giving direction for content and suggestions for teaching materials and methods, the documents were less prescriptive. Government policies promoted local curriculum development based on the provincial guidelines, under the premise that the curriculum taught should reflect the realities and needs of the local context.

In 1984, after a four year review process, the government mandated a revision of the secondary school graduation requirements and curriculum, under the authority of a curriculum policy document called *Ontario Schools: Intermediate and Secondary Divisions (OSIS)*. This was the most comprehensive secondary curriculum reform since 1970. In the late 1980s, while the Liberals were in power, the Ministry of Education initiated a revision of the 1975 elementary curriculum policy (*The Formative Years, 1975*). While nothing resulted from the

review process, it set the stage for elementary school program reform under the NDP.

Other education policy trends leading up to the 1990s were more local to the Ontario demographic and political context. In the late 1960s the government legislated a consolidation of school boards from over 3000 to about 170, thereby ending the tradition of small elementary and high school boards, while ushering in the establishment of large school boards serving many elementary and secondary schools, and the creation of central office bureaucracies to manage and support the schools and the centralized board operations.

Changes in federal immigration policies beginning in the 1960s resulted in a massive influx of new Canadians from non-traditional non-European sources with a resulting increase in linguistic, racial, and cultural diversity in urban areas. In the mid-1970s the former Toronto and the York Boards of Education adopted the first multiculturalism and race relations policies in education in the province. Subsequent provincial and school board policy responses to the changing demographic landscape can be traced to these origins.

The province took leadership in recognition of the federal Liberal government's promotion of official bilingualism (English and French) across Canada that began with the federal *Official Languages Act* in 1969. Provincially, Core French became an obligatory component of the provincially mandated curriculum. French Immersion programs were established in response to local parent demand. Provisions for the education in French of French language minority students were strengthened under the federal government *Canadian Charter of Rights and Freedom* 1982. Article 23 of the *Charter* guarantees access to education in the language of the official minority in the province or territory of residence. Following the proclamation of Article 23, the Ontario Education Act was amended to mandate the creation of French Language sections in school boards across the province, with three Francophone trustees elected to each board to serve the interests of that community. In 1991, the Liberal government created the *Direction des politiques et programmes d'éducation en langue française* at the Ministry of Education. This bureau of the Ministry is responsible for French

language minority education in Ontario. Core French and French Immersion are managed by the Anglophone school authorities (in many parts of the country French language minority education and French Immersion are handled together by Francophone representatives in the education ministries).

In 1986 the outgoing Conservative premier, William Davis, brought closure to a long standing debate about equity in the provision of public funding for Catholic separate as well as the secular Public school systems. Up to that point, funding for separate schools only extended to Grade 10, after which students had to transfer either to private Catholic schools or to the Public secondary schools. Davis and his government mandated full funding for the Catholic system through secondary school as one of their final acts. The decision was supported by the other political parties. It was disputed by Public school system authorities and teachers' federations on constitutional grounds, and because of the impact on student enrolment, funding, teaching positions, and facilities (loss of students meant school closures). It was disputed by private schools operated by other denominations on the grounds of religious discrimination. The policy was upheld in the courts.

Towards the end of 1980's the Liberal government commissioned a former journalist, George Radwanski (Radwanski, 1998), to prepare a report on education with recommendations for future policy directions, focusing in particular on the problem of secondary school dropouts. Although the report was far reaching in its recommendations, the most controversial proposals and ensuing policy discussions centered on recommendations to completely destream the secondary school curriculum, to reduce the secondary program to four years with a common core curriculum for all, and to implement fully-funded early childhood education programs across the province. These ideas were not enacted into policy under the Liberals, but they had a significant influence on subsequent policy initiatives undertaken by the NDP and Conservatives.

Major Policies and Policy Initiatives: 1990-2003

This section gives a chronological inventory and content summary of the major policy proposals and policies between 1990 and 2003. The items referred to are statements of government policy positions, policy directives, regulations, or pieces of legislation (Bills, Acts), and reports with recommendations commissioned by the government or other authoritative sources. The section that follows examines themes that cut across the policy documents.

Policy/Program Memorandum No. 115 (June 1992)

With this policy announcement the NDP government affirmed its intent to destream Grade 9; to develop a new "Common Curriculum" for the primary, junior, and intermediate years; to promote integration of special education students in the regular classroom, as opposed to withdrawal to special education classes; and to require school boards to provide senior and junior kindergarten based on parental demand.

The Common Curriculum Grades 1-9 (1993-1995)

The Common Curriculum was developed and adopted by the Ministry of Education during the NDP years. It replaced the primary/junior (Grades 1-6) curriculum outlined in *The Formative Years (1975)* and in the subject guidelines for Grades 7-9 developed under OSIS between 1984 and 1989. The original document was released as a working draft in 1993 with an invitation for suggestions and comments from educators and the public. It was widely criticized as unintelligible educational jargon, and a plain-language version for parents and the general public quickly followed. The final document, *The Common Curriculum: Policies and Outcomes, Grades 1-9* appeared in 1995. It was accompanied by *Provincial Standards Language, Grades 1-9* and *Provincial Standards Mathematics, Grades 1-9*, as well as subject by subject curriculum guides. *The Common Curriculum* brought the concepts of outcomes-based learning and curriculum integration in Ontario curriculum policy. All students were expected to attain a common set of pre-specified learning outcomes by Grades 3 and 6 linked to provincially defined standards. The curriculum integrated traditional subject matter into four broad areas -- language arts, mathematics and science,

arts, and self and society. Implementation was beginning when the NDP lost to the Conservatives in 1995.

Transition Years, Grades 7,8, and 9 (1992), and "Program Policy for Elementary and Secondary Education" (Policy/Program Memorandum No. 115,1994)

These policy documents were companions to *The Common Curriculum*. They laid the policy foundation for decoupling the Grade 9 curriculum program from streaming into academic, general, and basic levels of difficulty prior to Grade 10 (under OSIS students were streamed upon entry to Grade 9). Under this policy all Grade 9 students followed the same program and were granted a blanket eight credits towards their secondary school diploma upon successful completion. Initially, the Rae government entertained the idea of destreaming Grade 10, as well, and of eliminating the peculiar program appendage to secondary school in Ontario for university-bound students, commonly known as Grade 13, though reconstituted under OSIS as a set of advanced academic courses called OACs (Ontario Academic Credits). Secondary school teacher and general public opposition to these proposals, however, effectively sidelined those plans.

Antiracism and Ethnocultural Equity in School Boards: Guidelines for Policy Development and Implementation (1993)

This document was developed and released to support implementation of a 1992 amendment to the Education Act whereby all school boards in the province were required to develop and implement antiracism and ethnocultural equity policies. While support for multiculturalism was embedded in prior curriculum policies, including *The Formative Years* and OSIS, and many urban boards had already adopted comprehensive racial and cultural equity policies, the establishment of school board policies was not mandatory prior to 1992. The guidelines called for systemic policies covering multiple areas of education provision, including curriculum, learning materials, student assessment and placement, hiring and staffing, race relations, and community relations.

Violence-Free Schools Act (1994) and Bill 81: The Safe Schools Act (2000)

The *Violence-Free Schools Act (1994)* was adopted by the NDP government in the wake of several incidents in schools in Canada and the U.S. that received a lot of media attention and that raised the concerns of parents and politicians about safety of students in schools, both elementary and secondary. The policy was in part the government's response to a commission and document with recommendations entitled the *Safe Schools Report* which began under the Liberal government. This policy was designed to assure students, teachers, and the public that all school boards had comprehensive policies in place to prevent and respond to violence when it occurs.

The Conservative government introduced further measures in June 2000 to ensure discipline and safety in schools. Again, the government action followed in the wake of a few highly publicized incidents involving weapons in Ontario schools and in the United States. Whereas the 1994 policy simply required school boards and schools to develop safe schools policies, including discipline codes, *Bill 81 The Safe Schools Act* set a common provincial Code of Conduct for students, that included explicit standards of behaviour and consequences for serious infractions. Expulsion was made compulsory for possession of weapons, causing damage to school property, swearing at or threatening teachers. The Act authorized teachers to suspend students for a day, gave principals the power to expel students for up to a year, and required school boards to provide discipline programs for suspended students to gain re-entry into the school system. The Act also allowed for a majority of parents at a school to determine school dress codes or even to require uniforms.

Although the act gave teachers the authority to give one-day suspensions without an appeals process, the Ontario Secondary Schools Teacher Federation (OSSTF) strongly advised its members to refrain from giving suspensions. The union felt that it would leave teachers vulnerable to litigation and reinforced the idea that it was the duty of school administration to suspend students (Reith, 2001). Controversy over potential abuse of the new legislation was prominent in the news, promoting fears that it was reactive, violated child rights, and criminalized schoolyard pranks (Brooks & Campbell, 2002; Eli, 2001; Levac, 2001).

Implementation of the act has been marked by continuing controversy over the provincial “zero tolerance” policy. Critics’ concerns revolve around the severe consequences of the increased suspensions and expulsions, the lack of flexibility given to principals, racial profiling of students being expelled from schools, and bias against disabled students (Kalinowski, 2003b; Miller, 2003; Moir, 2003). The Human Rights Commission has responded to concerns regarding the insensitivity of the legislation for students unable to control their behaviour, and will publish guidelines for accomodating disabled students in Fall 2003 (Canadian Broadcasting Corporation, 2003).

For the Love of Learning. Report of the Royal Commission on Learning (1994)

The NDP government commissioned a comprehensive review of education in Ontario in mid-1993, *The Royal Commission on Learning (RCOL)*. This was the first overall review of education since the Hope Commission in 1950.¹ Notwithstanding the need for a review, The Royal Commission was a political strategy to delay further policy initiatives and to engage the public in charting the future of Ontario education, after the government's initial policy agenda failed to win much public support. The Commission toured the province inviting and receiving written and oral submissions from all interest groups, and undertook its own background research, as well. The final four volume report was released in January 1995.

The *RCOL* was not "policy", rather a background document with recommendations for policy change and development. The Commissioners envisioned four key engines or strategies for large scale reform in education: new school and community alliances for the education and development of children and youth; early childhood education; the professionalization and continuing development of teachers; and the use of new information technologies in education. The Report contained 167 specific policy-linked

¹ There were two major program reviews in the interim (*Living and Learning*, 1968, commonly known as the Hall-Dennis report which focused on education in the elementary years and led to adoption of *The Formative Years*, 1975; The *SERP Report (Secondary Education Review Project)*, 1980, which eventually led to the adoption of *OSIS*, 1984).

recommendations covering virtually all the programmatic, organizational, and resource dimensions of elementary and secondary education in the public sector.

Some key recommendations ("key" in the sense that they pre-figured subsequent policy initiatives) included prescription by the Ministry of Education of expected learner outcomes in core curriculum areas from Grade 1 to high school completion; reform of secondary education, including abolition of the fifth year (Grade 13), reconstitution of the program into two streams (academic and a general applied program), and a mandatory community service requirement; standardized report cards linked to provincially defined learning expectations by subject and year; standardized assessment of elementary student performance on the provincial literacy and numeracy outcomes and standards; introduction of a literacy test requirement for secondary school graduation; establishment of an independent accountability agency to develop, manage, and publish results of the provincial assessments; creation of an Ontario College of Teachers to be responsible for professional standards, certification, and accreditation of teacher education programs; mandatory professional development and recertification of teachers on a five year cycle; incorporation of parent and student input into teacher appraisal processes; establishment of school-community councils in all schools; and greater equalization of per-pupil funding across the province under provincial control.

Some high profile recommendations of the *RCOL* did not result in subsequent policy changes, including proposals to replace kindergarten programs with Early Childhood Education programs for children ages three to five where requested by parents; to extend pre-service teacher education programs from one to two years; to withhold full certification until new teachers had been practicing a year; and to require boards to provide induction programs for beginning teachers. While the *RCOL* was not policy, it anticipated many policy changes that were to occur during the remainder of the 1990s.

New Foundations for Education (1995)

Within six months of the release of the Royal Commission the Rae government was defeated by the Conservatives. Prior to the election, however, the NDP government released a comprehensive policy document, *New Foundations for Education*, which was its response to the RCOL recommendations. Soon after, the NDP Minister of Education mandated the establishment of School Councils (*Policy/Program Memorandum No.122,1995*) consisting of representative parents, community members other than parents, teachers and the principal. School Councils were granted "advisory" powers in regards to school plans and budgets, but were not given any site-based decision-making authority as envisioned in the RCOL. Although many observers interpreted the creation of school councils as a step towards more school-based or site-based management, the councils have remained advisory in nature, and have not developed into a strong presence in school decision-making.

The NDP Minister also set up committees to plan for secondary school redesign, the Ontario College of Teachers, and the creation an Education Quality and Accountability Office to develop and manage the provincial accountability system. The NDP policy agenda broadened the RCOL proposals for provincial testing to include mandatory testing of all students in reading, writing, and mathematics at Grades 3, 6, 9 and 11. The government backed off on the recommendations to mandate Early Childhood Education, proposing instead to combine day care and Early Childhood programs for four and five year olds by the end of the decade. In addition to policies emanating from the RCOL recommendations, the NDP government proposed a further consolidation of school boards across the province. The Minister established a task force to study the pros and cons for school board amalgamation.

While the Conservatives were supportive of many of the directions proposed by the RCOL and the NDP policy initiatives that followed in its wake, they did not publicly embrace the report and its recommendations once in power. The government set up its own Education Commission to elicit further input from educators and the public concerning about the future of Ontario

education. In fact, however, the government followed through with many of the RCOL proposals, though undeniably with its own Conservative stamp.

The Common Sense Revolution (1995)

The Harris government swept into office in June 1995 under the neo-Conservative ideological banner of "The Common Sense Revolution". A brief document bearing that title outlined the philosophy and directions of the Conservative party's political agenda for the province. While it had little to say specifically about education, the overall message was clear. Reduce government bureaucracy and spending, cut taxes, eliminate the deficit, and rationalize government services. The document envisioned at least a \$400 million reduction in annual spending for education. While promising to protect "classroom funding", the document targeted spending cuts through reductions in non-classroom personnel and administrative costs, and through measures to reduce duplication of services across school boards. It endorsed the NDP plans to change the secondary program from five to four years, to establish a standards-based core curriculum, and to proceed with standardized testing. It shelved the NDP plan for mandatory junior kindergarten pending further study (*Bill 34: An Act to Amend the Education Act, 1996*).

Under the new Minister of Education several of the policy initiatives already undertaken or proposed by the NDP continued. Government committees charged with developing plans for an Education Quality and Accountability Office, the Ontario College of Teachers, school board amalgamation, and Education Finance Reform continued to function. One dramatic reversal in policy concerned the equity policies enacted by the Liberal and NDP governments. The Conservatives shut down an Anti-Racism Secretariat created by the NDP, and its counterpart in the Ministry of Education, abandoned policies aimed at increasing gender equity in administrative posts in education, and deleted references to pro-equity goals (e.g., anti-racism, gender) from future curriculum policy documents.

The most immediate and dramatic action by the new government was to announce in the Fall of 1995 that the operating grants for school boards would

be cut approximately \$400 million dollars for the final quarter of 1996 (almost \$1 billion dollars when extended over a full year). The government expected boards to figure out how to make the cuts. Administrative costs, teacher preparation time, and teacher benefits were named as likely targets (although the legal complexities of modifying collective agreements ruled out the latter). A majority of boards responded by announcing teacher layoffs, plans for major cuts in programs and services, and increases in local property taxes to offset the cuts in provincial grants. These strategies were contrary to the government's promise to protect classroom funding and to ensure more equal student funding across the province, and were used to justify more direct government intervention to reduce the costs of education. Many subsequent policy initiatives were closely linked to the cost cutting agenda.

Bill 30: an Act to Establish the Education Quality and Accountability Office (1996)

With this act the Harris government formally established the Education Quality and Accountability Office (EQAO) proposed in the *Royal Commission* as a semi-independent government agency apart from the Ministry of Education. The mandate for EQAO is to develop and manage the administration and marking of standardized tests of elementary and secondary school pupils keyed to provincial curriculum expectations, to develop systems for evaluating the quality and improvement of education, to research and collect information on assessing academic achievement, to evaluate and to suggest strategies for improving the public accountability of boards, to report to the public and the Minister of Education on test results and on the quality of public school education and accountability, and to recommend improvements in the quality of education and public accountability of boards. EQAO also leads Ontario's participation in national and international tests of education quality. Its original mandate included annual testing of all Grade 3 students in reading, writing, and mathematics, testing samples of Grade 6 and Grade 9 students, and annual testing of all Grade 11s. EQAO testing has evolved since its start. It presently includes annual testing of Grades 3 and 6 students in reading, writing, and mathematics, annual testing in mathematics of Grade 9s, and literacy tests of all

Grade 10s that students must pass as a requirement for high school graduation. The first Grade 3 and Grade 6 assessments were administered in the Spring 1997. The Grade 10 Literacy Test was piloted across the province in the Fall 2001 and fully implemented for the first time in 2002.

The EQAO has developed an information system and data base called the Educational Quality Indicators Program (EQUIP). This information system assembles and provides school, school district, and provincial level data on a wide variety of demographic indicators drawn from Ministry sources, Statistics Canada, and surveys administered to pupils, teachers, and parents along with provincial tests. Examples of the indicators include measures of family income, parent education levels, language preferences, family status, and measures of stakeholder satisfaction and views on school quality and climate drawn from the surveys. The data are made available to districts and schools and are intended to help school and district personnel understand student and school performance in light of important background factors and stakeholder inputs, and to be useful in planning for school improvement. EQAO also has authority as part of its mandate to develop accountability mechanisms to require schools and districts to submit school improvement plans that reflect results on provincial testing measures, stakeholder surveys, and locally-generated data on school performance and needs.

Bill 31: Ontario College of Teachers (June 1996)

This legislation formally authorized the creation of a self-regulatory professional agency for certified elementary and secondary school teachers, the Ontario College of Teachers (OCT). The legislation specified the composition and selection process for the College's leadership and governing council, and granted jurisdiction to the OCT over a range of professional concerns, including accreditation of teacher education programs (initial and continuing), teacher certification, professional standards, and discipline. Some of these professional matters were previously managed by the Ministry of Education (e.g., certification, continuing education). Others, notably, professional conduct and discipline, had been handled by the provincial teachers' federations under the authority of the *Education Act* and *Teaching Professions Act*. These powers were

transferred to the OCT. All certified teachers in the province are by law now required to become members (and to pay fees) of the College, as well as to join of one of the teacher unions.

Two significant policy actions emerged from the College in its early years. First, was the development and adoption of official *Ethical Standards for the Teaching Profession* and *Standards of Practice for the Teaching Profession*. The *Ethical Standards* recodified existing regulations for professional ethics and conduct from the *Education Act*, the *Teaching Professions Act*, and other policies, and became the basis for judging allegations of professional misconduct under the College's discipline process. The *Standards of Practice* were entirely new, and represented the first time in Ontario policy history that any attempt had been made to specify in operational terms a multi-dimensional vision of teachers' professional knowledge and practice. The policy identifies teacher competency standards in five broad domains: Commitment to pupils and pupil learning; Professional knowledge; Teaching practice; Leadership and community; and Ongoing professional learning. Within each domain a set of standards, and indicators associated with those standards are specified. Under "Professional knowledge", for example, teachers must "know their subject matter, the Ontario curriculum and education-related legislation; know a variety of effective teaching and assessment practices; know a variety of effective classroom management strategies; and know how pupils learn and factors that influence pupil learning and achievement." OCT has used the *Standards of Practice* as a basis for evaluating and accrediting initial teacher education programs. The College did not specify initially, however, how the *Standards of Practice* were to be used with teachers in schools. As a result, they had little direct influence initially on practicing teachers. Recent legislation requiring mandatory professional development for recertification and a more standardized teacher appraisal system across the province, however, draws on the *Standards* as a provincial policy tool for influencing the quality of teachers and teaching.

The second major policy action undertaken by OCT was to develop and implement the province's first accreditation process for all ten faculties of education between 1997 and 2000. The faculty programs were accredited initially

for a period of three years. In the second round, re-accreditation will be granted on a seven year cycle. All of the faculties successfully passed the initial accreditation process (though a couple had to respond to requests for revisions prior to final approval). Other areas of responsibility under OCT's mandate included teacher certification, re-certification and ongoing professional education. Ultimately, the College's inability to make progress on these fronts led the Conservative government to supersede the College's authority and to legislate changes in the initial and continuing certification processes, which had implications for continuing professional education. These are explained below.

Bill 104: Fewer School Boards Act (January 1997)

This legislation followed from a government committee report (*Ontario School Board Reduction Task Force, the Sweeny Report*) in January of 1996 that recommended a massive reduction in the number of school boards (as well as changes in the financing of education). It reduced the number of boards from 129 to 72, and renamed them "district school boards". The legislation created Francophone school boards (public and Catholic) as separate entities, rather than as sections within the English-medium boards (the Liberal and NDP governments had already piloted distinct French language boards in selected areas of the province). Bill 104 cut the number of school board trustees per board, and capped their salaries at \$5000 per year (in large urban boards trustees were being paid as much as \$25,000 to 40,000 a year). The legislation had a powerful impact on the Toronto public school systems. It required consolidation of the six Toronto public boards into one district board serving over 300,000 students (co-terminous with the Toronto District Catholic School Board that already served the Metro area), making Toronto public the fourth largest school district in North America. Consolidation of school boards was supposed to reduce administrative costs and as well as duplication of services. Critics argued that it eroded the power of local communities to participate in the governance of schools, and that it would limit teacher and student access central office support services that had evolved under the previous system.

Bill 160, Education Quality Improvement Act, (December 1997)

Bill 160 brought closure to years of study and debate about disparities in per pupil funding associated with unequal access to local property tax revenues by jurisdiction (public versus Catholic) boards and by location (urban versus rural). Legally, Catholic boards only had access to the education portion of personal property taxes. The public boards drew from commercial property taxes, as well. Geographically, the commercial/industrial tax base was greater in urban areas. Provincial grants per pupil were allocated on an equal basis, regardless of board type and location. The basic "foundation" grants were supplemented by multiple (35) special grants for special purposes (e.g., ESL population, special education, transportation) to reflect varying community contexts. Local communities differed, however, in their capacity (and willingness) to raise supplemental revenues through local property taxes. The disparities in pupil funding levels amounted to several thousand dollars per pupil across school boards.

All this changed under Bill 160. The government completely centralized control over education funding. Bill 160 removed the power of school boards to manipulate the education portion of local property taxes to offset or supplement provincial grants. Property tax levies are now dictated by the government. Funds generated through both personal and commercial property tax revenues are now collected, pooled, and redistributed on an equitable basis to English and French, public and Catholic school district boards. Although the number of special purpose grants (e.g., for special education, transportation) was reduced (10), the range of needs addressed in those grants remained the same. School board discretion over the use of some special purpose grants, however, was limited. Funds allocated for special education, district administration, and school renewal and expansion, for example, were restricted for those purposes. The funding policy is referred to as "Student-Focused Funding". Bill 160 mandated more financial accountability, requiring boards and the Ministry to publish annual Financial Report Cards" to show how their dollars are spent. Furthermore, the legislation eliminated the freedom of school boards to operate with deficit budgets, and authorized the Ministry to temporarily take over

administrative control of any school boards failing to submit balanced annual budgets.

The scope of Bill 160 was far reaching. While it was not just about money, many of its provisions were linked to funding. The Bill defined classroom and non-classroom spending. This was significant due to the Conservative government's promise to protect classroom funding from budget cuts. Classroom costs included teachers, supply teachers, classroom assistants, learning materials, classroom supplies, library and computers for classroom use, guidance and psychological services, and staff development. Non-classroom expenses included teacher preparation time, school administrators, district consultants, and custodial services. The Bill removed principals from the teachers' collective bargaining units, thereby taking away their rights to strike and to collectively bargain through the teachers' unions. Thus, principal's salaries were not protected under the classroom funding policy, and persons other than certified teachers might eventually gain access to the principalship.

Several provisions in Bill 160 had direct consequences for teachers' working conditions. The number of annual provincially-funded "professional activity" days was reduced from nine to four, allowing the government to claim that teachers would spend more time in the classroom with pupils. The Bill also legislated that class size limits, teacher preparation time, administrative release time, and the length of the school year would henceforth be set by the province and the boards, and not through contractual negotiations with the teacher unions. While this assured conformity across the province, it also removed much of the traditional substance of collective bargaining over teacher working conditions. Government authority to reduce teacher preparation time would, in theory, result in a cost savings of several hundred million dollars, because boards would employ fewer teachers.

The government introduced new regulations governing school capacity and staffing. School capacity was defined by a formula that combined square feet per pupil and class size limits. Staffing allocations were linked to those estimates. School boards were to close schools that did not meet the minimum

capacity requirements and to redistribute students to other schools. This meant savings in facilities, and in the number of teachers, principals, and support staff employed.

Bill 160 resulted in major conflicts between the teacher federations and the government both before and after its passage. Early drafts of the legislation called for repeal of the *Teaching Professions Act*, threatened teachers' collective bargaining rights and mandatory membership in the federations, and allowed for non-certificated personnel to "teach" some subjects (e.g., arts, physical education). This was in addition to the clauses that conferred more power to the government to regulate class size, preparation time, the length of the school year, and so on. The federations also voiced opposition to the centralization of funding. In an unprecedented job action, Ontario teachers staged a walk out in protest in the Fall 1996 that lasted ten days, the largest walk out or strike in provincial history. While it did not stop Bill 160, the teachers' job action did effectively challenge the governments' claim that the Bill was about improving quality as opposed to reducing funding for education, and did lead the government to back off its threats to bargaining rights and statutory union membership, and provisions to allow non-certified personnel to teach.

Within days of Bill 160's enactment, the government announced plans to increase the number of teaching days the following year, to reduce preparation time for high school teachers by 50%, and to increase the instructional time requirements for high school teachers. The government claimed that these teachers would spend more time with students. Teachers argued that they would have to teach another half course, which would increase the number of students taught and the marking workload with less time for preparation. The changes proposed would not increase the amount or quality of time spent with students individually or in groups. The government also announced its intent to make high school teacher contributions to extra-curricular programs and activities mandatory, not voluntary. The stage was set for confrontations in contract negotiations in the Fall of 1998.

The immediate financial consequences of Bill 160 were not known until March of 1998, when the government, after numerous delays, finally released its grant projections for the following September under the new funding formulas. True to its intent, the new formula did create more equal per pupil funding regardless of board type and location. Many of the English public boards, however, suffered reductions in funding, while the Catholic and French language boards enjoyed gains in funding. The implications for the boards that lost out in the funding equalization process were enormous (as much as 10%), since they could no longer offset the losses by raising local taxes. The boards began to make predictions of layoffs, school closures, cuts in extra-curricular programming, adult education, and other areas. Ultimately, the government guaranteed three years of stable funding at the 1997-98 level for the province, kicked in several million dollars in "transition funds" to help mitigate the initial costs of consolidation, and created an early retirement window to enable the boards to generate savings by hiring beginning teachers. The package included funding for half day senior kindergarten, and for half day junior kindergarten where warranted by parent demand.

Repercussions of Bill 160 continued in the Fall of 1998 when the boards entered into contract negotiations with the teacher federations. Due to the centralization and provincial control over funding levels, the boards had little flexibility to bargain higher salaries and benefits. Furthermore, the increased managerial rights over teachers' working conditions significantly limited what teachers and boards could actually bargain. The 1998/99 school year was marked by work-to-rule actions (e.g., teachers cancelling extra-curricular and other "voluntary" services), lockouts and strikes. The conflicts were most acute for high school teachers, due to the regulations affecting preparation time and instructional time. The government backed down on mandatory extra-curriculars, and some boards negotiated compromises in the preparation and teaching time requirements that satisfied the federations, but did not really live up to government expectations to increase teacher contact time with students. Boards of education confronted the province about the impact of Bill 160 on school operations. The Toronto District School Board (TDSB), for example,

announced in the Fall of 1998 that it would have to close 138 schools. While some schools were closed, the province allocated further funds to meet the unique needs of TDSB during the consolidation process based on considerations of the impact on programming for student linguistic, cultural, and economic diversity. The impact of funding policies set under Bill 160 have been an ongoing focus of public controversy, eventually leading to a government commissioned review of education funding in 2002 (see "Rozanski report" further on).

Bill 74 Education Accountability Act (2000)

The *Education Accountability Act (2000)* extended and strengthened some of the governmental powers and regulations introduced initially under Bill 160. The Act redefined the measure of required secondary teacher instructional time from the average number of minutes per week per teacher (1250) to the average course load per teacher during the school year (6.67 out of 8 periods per day, up from 6 periods out of 8). This policy was seriously challenged by the teacher unions and by school district and school administrators, because the Ministry initially did not allow the time teachers spend giving remedial assistance to individual students to count. Eventually, the government was forced to compromise and a more flexible interpretation of the instructional time requirement was adopted in subsequent legislation (see Bill 80, below). Bill 74 also attempted, unsuccessfully, to make teacher participation in so-called co-instructional activities mandatory, rather than voluntary. Co-instructional activities was defined to include any "activities other than those providing instruction that support the operation of schools or enrich pupil's school-related experience". This includes not only extra-curricular sports, clubs, and cultural activities, but also parent-teacher interviews, staff meetings, and school functions. Moreover, the Bill proposed to grant principals the authority to assign co-instructional activities to teachers both during and after the regular school days and on/off school premises. Not surprisingly, this provision met widespread opposition from the teaching population, and that part of the law was not proclaimed. The issue was not just about the attempt to mandate and control teachers' voluntary contributions to student learning and school operations. It was about the fact that these are the kinds of services which

teachers have traditionally "withdrawn" during unsuccessful contract negotiations in work-to-rule situations. If voluntary activities were to become mandatory and subject to government regulation that bargaining tool and power would be lost. Bill 74 also redefined the average elementary and secondary school class sizes (24 pupils for primary division, 24.5 JK-8, 21 for secondary school classes) as a function of the provincial budget allocation for education the coming year.

The government's intent to take control of teachers' voluntary contributions to school life beyond their duties in the classroom resurfaced in 2003 (see Bill 28 further on).

Secondary School Reform

The new Conservative government announced its intent to continue the secondary school reform agenda set in motion by the NDP, including the establishment of a four year rather than five year program beginning with Grade 9 in 1997, higher standards for graduation, a more common core curriculum for all students, and standardization of report cards linked to provincial curriculum expectations. Other elements of the reform proposals targeted greater opportunities for work experience, community service, and monitoring and counseling all students through a teacher advisory system. Negative reaction from the education community to a draft document for secondary school reform in 1996 led the Minister of Education to set up another round of public consultations and to delay the intended start up date for high school reform. The consultation process led to significant changes in the design for reform which were announced in January 1998. Among these was the decision to restream and recredit Grade 9, reversing the program model put in place under *The Common Curriculum*, to restructure the curriculum from three streams (Basic, General, Advanced) to two (Applied and Academic), and to shift a Grade 9 literacy test introduced by the NDP to Grade 10 as a requirement for graduation. Under the new two stream program, the curriculum content is the same, but taught at a higher level of difficulty in the Academic stream. The Ministry set a timeline for beginning implementation of the new Grade 9 program in September 1999. The program was to be phased in as the Grade 9

cohort progressed, culminating with a “double cohort” in 2003, when the final student cohort under the old five year program and the first cohort under the new system both reached the point of graduation.

Development and implementation of the new four year program proceeded as planned, but not without criticism. The Grade 9 program was released in the mid-Summer 1999, leaving little time for teachers to develop new courses for the coming academic year, and before the textbook industry could respond to the content requirements of the new curriculum. The struggle to meet the timeline for development and implementation of the new program continued in succeeding years as the program was phased in. Although these logistical challenges placed secondary school teachers under considerable stress (especially given the reduced preparation time and increased instructional time policies), and strained relations between teachers and the government, the problem was limited to the development phase of implementation.

A more fundamental criticism and controversy developed around the perceived difficulty of the new curriculum. Concerns from educators and parents focused particularly on the mathematics component, and particularly on those students in the Applied program stream. Informally, teachers immediately began reporting that the mathematics content and standards were too difficult for many students. Over the years, evidence has accumulated that secondary students, particularly in the Applied stream, are not yet faring as well under the curriculum. Government commissioned studies and EQAO test results have shown lags in Grade 9 credit accumulation, a high proportion of Applied program students performing below provincial standards on the Grade 10 literacy test (see “Grade 10 Literacy Test” further on), and have raised the spectre of increasing drop outs. The government claims that this reflects the intended rigor of the curriculum as expected, and that future students prepared under the new elementary program will be better prepared to meet the challenges of the four year program.

A third focus of public concern centred on the double-cohort to graduate in the Spring 2003. This had major implications for the post-secondary education

institutions, and for funding for post-secondary education admissions, student support, staffing, and accommodations. Of course, it is a one-time phenomena that will follow this student cohort through their post-secondary education experience.

The Final Year (2002/2003)

September 2002 marked the final year of the implementation of secondary school reform. According to the Ministry of Education, the new secondary school curriculum “responds to public demand for consistent standards and clear expectations that will ensure all Ontario students receive a high quality education” (Ontario Ministry of Education, 2003f). The new graduation requirements include 18 compulsory credits², 12 credits of elective courses, 40 hours of community involvement activities and passing the Ontario Secondary School Literacy Test or a Grade 12 literacy course. The June 2003 graduating class included the last cohort of students under the five year program and the first cohort of students under the new secondary school program.

Although the Ministry set the timeline with the expectation of a “double cohort” in 2003, the reality in that year led to noisy concerns. The major unresolved issue was uncertainty regarding college/university acceptance in relation to the increased numbers of high-school graduates. However, as promised in 2001, the government invested \$1.8 billion in colleges and universities to accommodate the increased enrolment (Brown, 2002) and created 73,000 new student spaces across the province (Cunningham, 2001). That

² The following lists the credits required for graduation;

- 4 credits in English (1 credit per grade)
- 1 credit in French as a second language
- 3 credits in mathematics (at least 1 credit in Grade 11 or 12)
- 2 credits in science
- 1 credit in Canadian history
- 1 credit in Canadian geography
- 1 credit in the arts
- 1 credit in health and physical education
- 0.5 credit in civics
- 0.5 credit in career studies
- plus:
 - 1 additional credit in English, or a third language, *or* social sciences and the humanities, *or* Canadian and world studies
 - 1 additional credit in health and physical education, *or* the arts, *or* business studies
 - 1 additional credit in science (Grade 11 or 12) *or* technological education (Grades 9-12)

enabled the 2003 entrance rate to remain comparable to prior years (Ontario Ministry of Education, 2003b).

Notwithstanding successful reports of the absorption of the double-cohort into post-secondary institutions, there were anecdotal reports of Grade 12 students planning to return to secondary school for a fifth year (Canadian Press, 2003). Additionally, researcher Allan King found that the pattern of Grade 10 students having completed the required Academic and Applied courses under the new curriculum suggested a possible decline in graduation rates. The failure or non-completion rates indicated the majority of students at-risk of not graduating within the four year time frame of the new program were in the Applied stream (King, 2002).

Ontario Secondary School Literacy Test

In 2003, 72% of students passed the Ontario Secondary School Literacy Test (OSSLT). A comparison with the 2002 results supported growing concern from parent groups and unions. Although only 10% of students taking the test for the first time did not pass, of the ones who did not pass or write in 2002, 77% of them failed in 2003 (The Toronto Star, 2003). These percentages translated into 30,000 students failing the OSSLT each of the last two years (Kalinowski, 2003a). Further highlighting inequity in the OSSLT results were the first EQAO reports on the results from private schools, where 92-99% pass rate were reported (Brown, 2003b).

The repeated failure of the Literacy Test by a certain population of students and the inequitable distribution of high success rates led to programmatic changes in the schools. The government responded to critiques focusing on the inequity of attaching high stakes to the OSSLT results for at-risk students, with \$50 million to create a Grade 12 literacy course for those students who failed the test (Ontario Ministry of Education, 2003d). While the government credited the creation of a new course to recommendations from the Rozanski report (see below), it may also have been in response to King's warning that high failures on the OSSLT would create additional burdens on

students already at-risk under the secondary school reform program (King, 2002).

The Ontario Curriculum: Elementary Program Revision

As the Ministry announced its intent to proceed with secondary school reform, it decided to revise the elementary school curriculum again, in order to ensure it was aligned with the new more rigorous high school program. Development of *The Ontario Curriculum* proceeded quickly. By June 1997 new Grade 1-8 curriculum documents were released for Language and for Mathematics. A Science and Technology document was distributed in March of 1998. Provincial curriculum documents for other subject areas soon followed. *The Ontario Curriculum* replaced *The Common Curriculum*, and brought on several significant changes in curriculum. The emphasis on curriculum integration disappeared. Traditional subject specific learning outcomes and standards were prescribed. Whereas *The Common Curriculum* specified expected learning outcomes by division (i.e., by the end of Grades 3, 6, and 9), *The Ontario Curriculum*, defined subject specific learning outcomes and standards by grade level (abandoning progressive notions of non-gradedness and flexible progress). References to equity goals linked to gender, racial and cultural differences, were replaced by the idea that equity could be achieved by holding teachers accountable for the achievement of all students to the same high academic standards. The new curriculum was accompanied by a new standardized report card. Teachers in all boards and schools were required to use the same report card format, which was aligned with the grade level learning outcomes and standards for each grade level and subject. The elementary curriculum was received with less controversy than the secondary curriculum. There were unsurprising protestations from teachers about workload and time to plan new courses of study during the first couple of years, and to get accustomed to the new reporting format (which was also computerized). Concerns have been expressed by teachers about the more difficult content requirements, especially in the primary division. Overall, however, elementary teachers have accommodated to and even welcomed the greater clarity in curriculum expectations and the common reporting format. Ongoing controversy has

centred more on the administration and effects of standardized testing for literacy (reading, writing) and math in Grades 3 and Grade 6.

Teacher Testing Program, the Stability and Excellence in Education Act (2001) and the Quality in the Classroom Act (2001)

In May 2000 the Harris government announced its intent to develop an "Ontario Teacher Testing Program" in order to promote teaching excellence in the classroom. The Program was to include a qualifying test for teacher certification, a teacher recertification process, and provincial standards for regular teacher evaluation. Following recommendations initially made by the *Royal Commission on Learning* in 1994, the Conservative government tabled teacher recertification legislation in 2001. Historically, certification was a one-time event in a teachers' career, and occurred upon successful completion of a teacher education program. The issues surrounding recertification centered on whether it was necessary, whether there should be a formal recertification test, whether certification should be linked to continuing professional development, and the possible role of teacher evaluation in the recertification process. Bill 80, the *Stability and Excellence in Education Act* was passed in June 2001. Bill 80 mandated that teachers would henceforth be required to undergo a recertification process on a five year cycle. There would be no formal recertification test, however, teachers would be have to provide evidence of participation in ongoing professional development activities (14 approved courses or course equivalents per cycle).

The government named the Ontario College of Teachers as the agency responsible for managing the mandatory professional learning policy, including accreditation of professional development activities and administering the recordkeeping and appraisal processes for recertification. The province authorized start up funds, but made no provision for ongoing costs of managing what is referred to as the Professional Learning Program (PLP). OCT has yet to resolve the funding question, though it appears that it will have to increase membership fees to the College. Siding with the teacher unions, the OCT leadership has officially opposed the linkage of professional learning to recertification, and has advocated on behalf of teachers for the reinsertion of

more professional development days into the regular work year, and for PLP funding through the boards. OCT developed a Professional Learning Framework and plan that broadens the scope of professional learning activities from traditional courses to conference attendance, action research, and other individual learning activities with appropriate documentation.

The *Quality in the Classroom Act* was passed in December 2001. The Act requires beginning teachers to successfully pass a standardized *Ontario Teacher Qualifying Test (OTQT)* in addition to their pre-service teacher education program as a condition of certification. Development of the test was contracted out to the New Jersey-based Educational Testing Service (ETS) in collaboration with the Ontario Principals' Council. The test has multiple choice questions and case studies with short answer questions. It covers topics such as the Ontario curriculum, lesson planning, school law, human development, classroom management, instructional skills, student motivation, assessment, student diversity, and parent involvement (ETS, 2003). The first administration of the OTQT in 2002 was a pilot. There was substantial pressure from professional organizations on the government to use the first year's data to validate the instrument and withhold attaching stakes to the results until the next year.

As of January 1, 2003, writing and passing the Ontario Teacher Qualifying Test (OTQT) is a requirement for membership in the College of Teachers³. In April 2003, the OTQT was administered at 26 different testing locations. In nine of those locations, the test was postponed for a week due to bad weather conditions, and a different edition of the test was used to circumvent a security breach (Ontario Secondary School Teachers' Federation, 2003c). ETS assures the public that the scores are statistically adjusted to compensate for variances in question difficulty when different editions of the test are administered (Education Testing Service, 2003). The OSSTF were unsatisfied with the government's efforts and ETS' reassurances as to the comparability of results from different versions of test. The union had previously denounced the use of the American company

³ Technological Studies, Native Language (second language), and Native Ancestry teachers, as well as teachers for the deaf, dance teachers and teachers for the developmentally delayed are exempt from the test.

because of the legal challenges that ETS has faced in the U.S. regarding their tests being culturally biased and discriminating against minority teachers (Ontario Secondary School Teachers' Federation, 2001). Hence, the union called for the 2003 "botched test" to be considered another field test, so that all graduates from Ontario Faculties of Education could teach in Ontario schools in September (Ontario Secondary School Teachers' Federation, 2003c).

Notwithstanding the unanticipated complications in the 2003 OTQT and the negative union rhetoric belittling the credentialing approach (Elementary Teachers' Federation of Ontario, 2001a, 2001b; Ontario Secondary School Teachers' Federation, 2001), over 97% of teacher candidates passed the first Ontario Teacher Qualifying Test. The high success rate reinforced the belief that new teachers "have a solid foundation of knowledge and skills" (Ontario Ministry of Education, 2003a), though it brings into question the necessity and expense of administering the test at all. The 2003 results retained added credibility with the Ontario College of Teachers, Ontario Association of Deans of Education, Ontario Principals' Council, and Educational Testing Service, who had all called for the 2002 test to be utilized for validation purposes (Ontario College of Teachers, 2002).

An equally controversial component of the *Quality in the Classroom Act* pertains to provincially mandated processes for ongoing teacher appraisal (before teacher evaluation policies and process were a local matter). The regulations stipulate that principals will evaluate teachers' classroom practice every three years (twice yearly for new teachers in their first two years). Boards are required to develop evaluation tools that will assess teacher competencies against the *Standards of Practice*. The regulations also require school districts to develop instruments to collect student and parent input into the teacher evaluation process (note that this reinforces recommendations by the NDP *Royal Commission on Learning* in 1995). These regulations do not kick in until the 2003/2004 school year and their impact, if any, on teachers' work in schools and recertification is yet unknown

Given that the Ontario College of Teachers was established, in theory, to make the teaching profession more self-regulating, the fact that the government, rather than the College has introduced all these measures to "ensure" the quality and professional standing of teachers is remarkable. The College is currently acting more as an implementation agency for government policy than as a self-regulating body.

Bill 45 Equity in Education Tax Credit (2001)

In the Spring 2001 the Conservative government passed legislation to allow parents who enrol their children in private schools to claim a partial tax credit on the tuition. The policy enables these parents to claim an income tax credit amounting to 50% of private school tuition up to a maximum of \$3500 per child. It was to be phased in at \$750 per year over a five year period. The Bill was enacted through the Ministry of Finance, not the Ministry of Education, though it has funding implications for the publicly funded school system. The legislation responds to long standing pressure from lobby groups within the private school sector, particularly the faith-based private school organizations (e.g., Jewish, non-Catholic Christian, and Muslim), for access to some government funding for education (given that the Catholic school system is fully funded). Strictly speaking, the Bill does not fund the private system, but it does indirectly subsidize the system through the tax credit to parents. Fears have been expressed within the public school sector that the government is encouraging families to opt out of the public education system, that it will lead to an exodus of students into the private school sector, and that it will further deplete public funding for education. Each pupil "lost" to the private sector would mean a loss in provincial grants to public education. The tax credit policy has been a focus of considerable media attention and has been strongly criticized by public education sources since its passage. Critics argue that it robs funding from an already cash starved public system, and point out that the government places little accountability on private schools for teachers (non-certified teachers can be employed, no evaluations of teacher competency required) or for students (no requirement to take part in provincial testing programs). The government responded to early criticisms by temporarily suspending the tax credit program.

Despite the rhetoric, there is little evidence that the tax credit has had much impact on public system enrolment levels or funding. In fact, media reports suggest that many private schools have chosen not to register to enable families whose children attend their schools to get the credit. These private school authorities are wary of any new regulations and accountability requirements that might be linked to the credit by future governments.

In March 2003, Premier Eves reassured the public that he would proceed with the additional tax credit to allow for increased school choice (Baillie, 2003a) and compensate for the stalled increase in credit in the 2002 budget. The teacher federations claimed the government was incapacitating public education with the credit (Ferenc, 2003; Ontario Secondary School Teachers' Federation, 2003b). The Ontario Public School Boards' Association drew on the Rozanski report to highlight the damage that the government was inflicting on the public system by "spending money on private education" (Ontario Public School Boards' Association, 2002, 2003). One vocal public lobby group that applauded Eve's decision to continue with the tax credit plan was the Organization for Quality Education. They argued that the tax credits would make private education more accessible to lower-income families and generate competition within the public system to improve programs (Organization for Quality Education, 2003).

Notwithstanding the opposition from the Liberals and the NDP who claimed they would revoke the bill if elected (Baillie, 2003a), the Honorable Minister of Finance, Janet Ecker introduced Bill 53 to the Legislative Assembly. *An Act respecting the equity in education tax credit* restored the original schedule for implementing the tax credit for private school tuition, targeting full implementation by 2006.

Language Planning Policy in French Language School Sector

All of the policy initiatives introduced thus far apply to educators and students in both the English and the French medium school systems in Ontario. There are, however, certain policies that pertain uniquely to the needs of French language minority students within the provinces' 12 public and Catholic French language school boards. The 1994 trilogy *Politique d'aménagement linguistique*,

Investir dans l'animation culturelle and *Actualisation linguistique en français/Perfectionnement du français* in Ontario was produced in order to create a vision and support for the mandate of Franco-Ontarian schools to maintain and strengthen French language and culture within the Franco-Ontarian community. The 1994 language planning policy was specifically developed to counteract the assimilation of Francophones to the Anglophone majority. The policy's intent was to implement measures to legitimize the use of French and to make the Francophone community more visible within the school setting. The policy addressed the administration and organization of the French language schools, as well as the involvement of parents and community organizations in the schools. During 2003, the Ministry undertook a public consultation process to update and revise the *Politique d'aménagement linguistique*. Drafts of the revised policy emphasize the following areas of intervention: students' identity construction, instruction, excellence in teaching and community involvement.

Funding and the Takeover of School Boards

In keeping with its emphasis on efficiency and fiscal restraint, the Conservative government legislated amendments to the *Education Act* that made it illegal for school boards to operate on deficit budgets. In June 2002 three of the province's largest public school boards (Toronto, Ottawa, Hamilton) defied the law, insisting that they could not maintain educational services under the existing funding formula without deficit spending. The Toronto District Board (TDSB) adopted a budget with a \$90 million deficit, while the Ottawa and Hamilton boards submitted deficit budgets of \$18 million and \$16 million. The boards took these actions in protest of the formula and level of provincial funding for education.

The government responded by invoking the relevant sections of the *Education Act*, appointing independent auditors to inspect finances and operations in each of these boards and to recommend options for cutting expenditures in order to balance the budgets without directly impacting on classroom expenses as defined under the province's student focused funding policy. In response to the auditors' reports, and to continued defiance of trustees in the three boards to revise their deficit budget submissions, the government

exercised its authority to take over governing authority from the trustees and to assign government appointed “supervisors” to implement and oversee budget cuts and operations in the boards in August 2002. In principle, the supervisors were appointed for one year terms. As of September 2002 the government was exercising direct control over 20% of the student body in the province.

While the particular circumstances of each of the affected boards were different, many of the “issues” surrounding the provincial takeover of the three boards have implications that apply beyond the particulars of those boards. Trustees and some parent groups critical of the government action portrayed it as an assault on local democracy (*Toronto Star* August 21, 2002 “Parents, trustees outraged at report”). Once the supervisors were in place the role and power of the trustees was severely constrained. Although they continued to be paid an honorarium and were required to hold meetings, they had no decision-making authority, could only advise the supervisors upon request, had no power to give direction to or to expect service from district staff, and were left in limbo as to their access to supplies, telephones and other services at the board offices (*Toronto Star* August 28, 2003 “Trustee role unclear”). Some trustees and their supporters unsuccessfully challenged the legality of the government’s takeover actions in courts.

The government and its supporters argued that it was acting responsibly in the face of inefficient management by school boards, and by the refusal of trustees to find ways to reduce administrative and other “non-classroom” expenditures, in the wake of school board amalgamation and changes in funding policies introduced under Bill 160 (*Toronto Star* August 21, 2002 “Giving the trustees a thorough examination”). Existing debates about funding policies and the definition of classroom and non-classroom expenditures resurfaced in response to the auditors’ reports and the actual cuts enacted by supervisors. In the Ottawa Board the supervisor mandated the elimination of 58 special education positions claiming that they were not classroom teachers and that they only provided help to pupils after class (*Toronto Star* September 3, 2002 “Ottawa parents challenge takeover of Board”). Cuts in the Toronto Board were far ranging and hotly contested, including the elimination of school community

adviser, youth counselor, and attendance counselor positions; drastic reductions in the number of education assistants and lunchroom supervisors; cuts in the number of district curriculum support personnel and vice-principals; closing of several outdoor education centers; higher user fees for community use of school facilities; elimination of general interest continuing education programs; reduced transportation services for special needs pupils; lower access to computers in the classroom (from 1 computer per 6 students to 1 for 10); and a partially successful attempt to shift the burden of funding municipal swimming pools located in schools to the city of Toronto.

While the three boards defiance of the government was unsuccessful at the local level, their actions did force the Conservative government to finally take action on ongoing complaints about the level of education funding and equity in funding across the province. In his May 2 Throne Speech, Premier Eves had announced an intent to establish a task force to review the province's funding for education. No action was taken, however, until the balanced budget crisis emerged over the Summer. In August of 2002, the government announced the creation of the task force, as described below.

After one year the TDSB supervisor had not yet succeeded in balancing the budget, despite massive cuts. In seeming contradiction to the requirements of the Education Act that justified the government's intervention in the first place, the government permitted the supervisor to table a deficit budget for 2003/2004, while continuing to seek and negotiate ways to further reduce costs and balance the budget.

Reviewing the Funding Formula (Rozanski Report, 2002)

In 2002, the government commissioned an Education Equality Task Force to review the province's student-focused funding formula. The task force was led by Mordechai Rozanski, President and Vice-Chancellor at the University of Guelph, and mandated to make recommendations to "improve equity, fairness, certainty, and stability in the funding of Ontario's students and schools." More specifically, the review was to focus on six aspects of the funding formula: fund distribution between different boards, structure of cost benchmarks, local

expenditure flexibility, school renewal, special education, and student transportation.

The report, *Investing in Public Education: Advancing the Goal of Continuous Improvement in Student Learning and Achievement* (Education Equality Task Force & Rozanski, 2002), was meant to determine if the funding formula met the government's stated objectives in terms of adequacy, affordability, equity, stability, flexibility, and accountability. The 33 recommendations in the report were linked to governance issues and suggested a three year implementation timeline starting in the 2003 school year. The recommendations associated with updating the costs were reflective of the fact that the benchmarks on which the funding formula was based were outdated because the values were taken from early to mid-1990s. The total increase in funding called for was \$1.8 billion over a three-year period, with the added restructuring suggestions offering boards more autonomy for expenditure to support at-risk students.

In December 2002, when the "Rozanski report" was released, all stakeholders welcomed the recommendations and demanded the government rapidly act on them. Notwithstanding the report's critique of the adequacy of education funding, Ministry of Education officials declared that the review "confirmed that the government's education funding reforms [were] sound" (Ontario Ministry of Education, 2003c). The government immediately introduced a series of funding packets earmarked for different programs in direct response to the Rozanski recommendations. By March, the government had announced a total of \$676 million in funding to be delivered over three years for school learning resources, special education, a 3% annual increase in the salary-component of the funding formula, and student transportation (Office of the Premier, 2003a). By April, an additional \$75 million had been announced for school renewal, and \$74 million for rural, northern, small schools, and schools with declining enrolments whose small numbers disadvantaged them in the student-focused funding formula.

Although teachers and parents supported the recommendation and release of funds, they interpreted the conclusions differently than the

government. Teacher unions argued that the Rozanski report confirmed that the funding formula was not working and that the Conservative government was destroying the education system with inadequate funding (Ontario Secondary School' Federation, 2003). Moreover, critics called for funding additions exceeding the Rozanski recommendations if the system were to catch up by 2006 (the three year mark of the report's release) and reflect inflation (Baillie, 2003; Kalinowski, 2003; Ontario English Catholic Teachers Association, 2003b; Ontario Teachers' Federation, 2003; People For Education, 2003).

Shortly after the release of the Rozanski report, a position paper was published out of OISE/UT by Kenneth Leithwood, Michael Fullan, and Nancy Watson. *The Schools We Need: Recent Education Policy in Ontario and Recommendations for Moving Forward* (Leithwood, Fullan, & Watson, 2003). The document summarized the different policy and implementation initiatives in the last seven years in Ontario, was supported by its own analysis of the funding formula (Lang, 2002), and offered suggestions on how to improve the system. The suggestions pivoted on the notion of reducing micro-management, increasing policy coherence, and creating a high pressure/high support environment. Teacher unions and a powerful community advocacy group, People for Education (People For Education, 2003a, 2003b), repeatedly cite these reports to support their claims regarding the negative impact of the funding formula at the school level.

Bill 28 (2003)

In September 2002, the scholastic year started with the majority of teachers working without a contract (only 31 of 126 local bargaining units had signed new contracts). By December little progress had been made (87 contracts still unrenewed). The government responded to the contract vacuity within most boards and the Rozanski recommendation to update the student-focused funding with an additional \$340 million to avoid classroom interruptions during contract negotiations (Office of the Premier, 2002b). According to the Ministry of Labour, the 3% increase was consistent with the salary increases in collective agreements reached by other public sector workers including government employees (Office of the Premier, 2002a). Noteworthy is that the increased

funding was only for one year and that the boards were responsible to find the following years' 3% increase from the allocated budgets. One of the outcomes of the support-promise disconnect was the teacher federations across school districts announcing work-to-rule action in March, that escalated over the following months. Although some of the bargaining units enjoyed settlements that included increases of over 4% (Ontario Secondary School Teachers' Federation, 2003b), other boards were unable to match the 3% increase advertised by the government after year one (Brown, 2003c). Work conditions, proper staffing, and teacher supervision were issues that stalled the settlements in certain boards (Canadian Press, 2003; Ontario Secondary School Teachers' Federation, 2003b). The teacher organizations advised their members to boycott the provincial EQAO testing in May in those boards that had yet to settle (Brown, 2003d, 2003e).

In May, the Toronto District Catholic School Board locked out its elementary school teachers because of their refusal to settle on what the board considered the maximum it could afford in increases. The teachers' union argued that they deserved settlements equivalent to those of their colleagues in the other boards in the Greater Toronto Area (Ontario Ministry of Education, 2003e). As the lock-out approached the three-week mark, Conservative leaders pushed through legislation to end the lock out. The Conservatives succeeded in adding clauses to Bill 28 with long range implications for all teachers, beyond the back-to-work and mediation orders for the locked-out teachers and their board.

The government argued that the approximately 1000 school days lost to labour disputes since 1985 was a foundation for improved arbitration processes (Office of the Premier, 2003b). Bill 28 amended the Education Act to redefine the duties of teachers and what is considered 'strike' action. This now included all actions that would have "the effect of curtailing, restricting, limiting or interfering with" normal teaching activities as well as school or board programs such as *co-curricular* activities. This was a reaction in part to the series of work-to-rule campaigns enacted by the teacher federations in response to negotiation impasses with a number of school boards. As opposed to a full 'strike', teachers withdrew administrative services and voluntary programs and activities so as to

minimize the impact of the dispute on the students while still disrupting the board (Ontario Secondary School Teachers' Federation, 2003d; Ontario secondary School Teachers' Federation, 2003a). The teacher unions understood Bill 28 as mandating teachers to provide extracurricular activities, succeeding where Bill 74 failed (Elementary Teachers' Federation of Ontario, 2003; Ontario Secondary School Teachers' Federation, 2003a). While the bill stopped short of banning teacher strike action, that is perceived as the next step in the government's agenda by Liberal critics.

Thematic Commentary on Policy Trends

This section reviews policy trends in Ontario elementary and secondary education since 1990 across four domains of the education system: curriculum, governance, education finances, and teacher professionalism. Each domain is considered in relation to four major policy trends: standardization, centralization, accountability, and regulation.

	Standardization	Centralization	Accountability	Regulation
Curriculum				
Governance				
Education finances				
Teacher professionalism				

Curriculum

The changes in Ontario's curriculum since 1990 have reflected a general trend in Western education focusing on outcomes as delineated in curriculum documents by centralized offices, such as provincial Ministries of Education. The standards outlined in the core curriculum are applicable to all students, and are expected to be achievable by all students. This began with the *Common*

Curriculum (Grades K-9), which specified common learning outcomes within four broad curriculum areas that all students were expected to attain by the end of Grades 3, 6 and 9. The trend was more fully developed in the current *Ontario Curriculum (Grades K-8)* and in curriculum documents issued for the four-year high school program. The provincial curriculum now specifies expected learning outcomes by subject and by grade level, and by program stream (Academic, Applied) at the secondary level. The current curriculum expanded the emphasis on outcomes to incorporate provincially prescribed "standards" for acceptable and non-acceptable student performance in relation to the expected outcomes. The standards are integral to the assessment and reporting of student performance in accordance with provincially mandated standardized report cards. They are also used in the marking and reporting of results on the province's standardized tests of student performance. The standards allow teachers, students, and parents to identify and compare whether students are performing at or below provincially set expectations individually and in groups.

The definition and standardization of curriculum in terms of expected student outcomes has been accompanied by a policy shift regarding the achievement of equity in student learning. The current ideology is that there are core learning expectations that all students are expected to achieve according to the same standards, and that equity is accomplished by ensuring that that happens. Flexibility and variation in programming and instruction should be based on evidence of student performance against the standards, not on student membership in particular sub-groups defined by gender, racial, cultural, or socio-economic characteristics.

A key feature of the current curriculum documents is that while they are very explicit about the desired learning outcomes for students, they say little about how teachers should teach. This is in stark contrast to the curriculum policy documents prior to 1990, which were openly grounded in progressive theories of child development and of student-centred active approaches to teaching and learning. Even the emphasis on curriculum integration that accompanied the outcomes-based orientation of *The Common Curriculum* was jettisoned in the current *Ontario Curriculum (K-8)*. It can be argued that the

outcomes-based curriculum trend is more aligned with an image of teachers as professionals who are capable of determining what works best for students, and who do not need to be "told" what teaching methodologies to use. The curriculum guides support this argument as they direct teachers to employ those instructional strategies that best fit the student needs and the topic according to their professional judgment. This "professionalization" argument is countered by increased measures to hold teachers accountable for student learning, and to regulate the working conditions in which teachers do their work, such as reducing teaching preparation time and increasing instructional time.

Increased accountability for student learning in relation to the provincial curriculum expectations and standards is the other significant curriculum policy trend. This manifests itself in various ways, beginning with the specification of more specific subject and grade-level expectations and standards for student outcomes that creates a uniform basis for assessing student performance. The coupling of the curriculum to a common report card that requires teachers to judge student performance against the provincial curriculum expectations and standards exemplifies one strand of the new performance accountability trend. The establishment of the Education Quality and Accountability Office, the development and administration of standardized tests of literacy and numeracy aligned with the provincial curriculum, and the public dissemination of those test results are further expressions of curriculum accountability. While schools are presently required to submit school improvement plans to EQAO that take into account provincial test results, there are as yet no provincially prescribed rewards or sanctions attached to school and/or teacher performance, as measured by student performance. The present impact on teachers and schools of increased accountability for student performance on the provincial curriculum expectations is more about the effects of the accountability processes (e.g., time, teacher and pupil anxiety for teachers, diversion from un-tested subjects) than about the results.

The new accountability trends are starting to hold students, not just teachers and schools, more accountable for their performance on the provincially prescribed curriculum expectations. This is presently limited to the Grade 10

Literacy Test, which must be successfully completed in order for students to earn their high school graduation diploma. However, this makes the testing program more high stakes for pupils as well as teachers, and challenges the rhetoric that standardized testing is mainly to be used as a mechanism for monitoring and assessing curriculum implementation and school performance for purposes of quality control and improvement. The Literacy Test marks a step back towards the 1950s when all students had to complete high school graduation exams. The possibility that elementary school students may be held back depending on the performance on provincial tests of reading, writing, and mathematics is already being debated.

The trend towards curriculum standardization and accountability is evident at the high school as well as at the elementary school levels. The issues are complicated in high schools, however, by the long standing tradition of streaming that sorts and provides different programs for students who are high academic performers and who intend to go on to university, and those whose academic achievement is defined at a lower standard and who are not necessarily university-bound. The current program compresses the number of program streams to two, In theory, the same core content is present in both strands, but the academic courses draw more on theory and abstract examples, as opposed to applied courses that draw on practical examples and applications.

Governance

It is possible to imagine a scenario in which governing authorities set clear common standards and goals for performance, establish accountability systems for monitoring performance, create support systems to help service providers attain the goals, and maximize the flexibility and resources for providers to discover how to organize and achieve those ends. This scenario calls for pressure and support in a more deregulated implementation environment, e.g., allowance for policy waivers to enable innovative approaches to program and service delivery. That is not the scenario emerging in the outcomes and standards-focused Ontario education context. The trend is towards greater centralization and regulation.

The governance of education in Ontario has changed significantly over the past decade, particularly since school board amalgamation in 1997. The creation of large school boards serving very large numbers of students, often over a wide geographic area, was coupled with a significant reduction and constraints on spending for central office and school board administration and support services to schools. The real and perceived "distance" between district offices and schools, and the resource capacity of district offices to monitor and support schools has been diminished. The direct ties between school board trustees and their constituencies are also weakened by the increased size of school districts. Provincially imposed reductions in the number of school board trustees, and trustee honorarium caps at \$5000 have further diminished the involvement of trustees in decision-making.

As the links between district offices, school boards, and schools have been weakened by amalgamation, the province has increased centralized control over funding and many areas of policy that were formerly delegated to local authorities. The assertion of provincial control through legislation of policies associated with things like the length of the school year, teacher preparation time, class size, school capacity, targeted funding, and so on (Bill 160, Bill 74), has further reduced local control and the content and capacity for local collective bargaining with the teacher unions. Historically, the province allowed local boards and staff to determine policies for things like teacher evaluation and school discipline codes. The Conservative government has gone beyond mandating boards to develop policies to actually prescribing the content of those policies (e.g., *Safe Schools Act* consequences for student infractions, *Quality in the Classroom Act* regulations for teacher evaluation). The intentions of these initiatives are to promote consistency across the province, but the byproduct is increased centralization and control.

The greatest challenge to the 150 year tradition of local governance of education through locally elected school board trustees was the legal takeover of three of the provinces' largest school boards by provincial authorities in 2002, and the replacement of administrative control under Ministry appointed "supervisors". Ostensively, this measure was taken in response to the decisions'

of trustees in each board to defy the law and submit deficit budgets. After one year district control remained with the supervisors, with no clear reversion of control to local trustees in sight. While the other 69 school district boards continue to be governed by locally elected trustees, it is evident that a precedent has been set by the governments' experiment with direct control by politically appointed administrators, and that no effective opposition to this maneuver has yet been mounted. Calls for an overall review of education governance in the province have begun to filter into the media.

The introduction of School Councils in the mid-1990s, and a Parent Advisory Council at the provincial level, could be seen as a kind of change in governance. As noted, however, the School Councils were only granted advisory powers in the original legislation. Their role in school governance to date depends more on the principal's orientation to the School Council than on the legislated powers of the Councils. There is no evidence to suggest that School Councils have led to more decentralized control over school management.

One of the most significant changes in education governance associated with school board amalgamation was the creation of co-terminous French language public and Catholic school districts. This responded to long standing lobbying from Ontario's French language communities to gain more complete control over the planning and delivery of education to the province's French language minority communities.

Education Finances

Education funding in Ontario has become almost wholly centralized as a result of Bill 160. The government took away the power of local school boards to raise funds by manipulating the education portion of local property taxes. This prevents the boards from topping off provincial grants for basic operating costs and regular programs, and from funding unique special programs and services keyed to locally determined needs and priorities. By centralizing control over the education levy on property taxes across the province, however, the province was able to address issues of greater equality in per pupil funding for students, regardless of location, type (public, Catholic, French or English), and

wealth of the community and business tax base. In addition to ensuring a more standardized per pupil funding policy across the province, the government placed more regulations and accountability on the use of special purpose grants that were previously allocated without much control on actual use. Boards now submit annual reports of their expenditures within designated cost areas. Furthermore, the government has mandated that boards must operate within their provincially allocated annual budgets of foundation and special grants. As noted, failure to comply has led the province to take over non-compliant boards and to appoint non-elected supervisors to administer board operations while finding ways to cut expenditures and balance the budgets.

The centralization, standardization, accountability and regulation of education funding from the province has been a thorn of contention since the passage of Bill 160 in 1997. While some boards benefited initially from the change (Catholic, French language), the prohibitions on raising local funds, government measures designed to reduce overall education funding for 'non-classroom costs' (as defined in government policy), and government allocations tied to "stable" funding rather than inflation, have led to persistent cries of underfunding for basic education needs from the boards. Furthermore, the constraints on local authority to raise supplemental funds limits the capacity of boards to respond to salary demands of teachers without approval from the provincial government. As evidenced in 2003, when the government promises salary increases without full financial support, this can lead to increased tensions between boards and teachers and classroom disruptions.

Where boards may claim that they are being underfunded for certain programs and services, the Ministry may counter that they are simply overspending in comparison to boards that are not registering those complaints. The funding situation, however, has stimulated the emergence of an alternative system of monitoring the state of funding for public education, that does not depend on government control of data about the costs of education at the local level. A parent lobby group, People for Education, was formed in the context of the disputes surrounding the passage of Bill 160. This group has carried out and published the results of annual surveys of elementary schools for five years, and

of secondary schools for the past two, drawing samples from all boards across the province. The surveys inquire about many issues, such as class size, support personnel and services, library services, textbook availability, school budgets, how much money local parent groups and teachers are contributing to supplement provincial funding, and how these supplemental funds are used for classroom and non-classroom purposes. The evidence reported from these surveys has consistently contradicted government claims that the system is being adequately funded for basic education programs and services. Moreover, the surveys have revealed the re-emergence of inequities in funding at the school level, as wealthy parent communities have greater capacity to supplement school funds.

The Rozanski report exposed many of the shortcomings in the funding formula, while supporting its use in the province. According to the task force, the key to the problems was the outdated original benchmarks in the funding formula. Hence, updating the costs to present-day levels would go a long ways towards resolving the underfunding issues. As the government did immediately respond to the recommendations, it could be argued that the policy evaluation was holding the government accountable to the objectives of the formula as the responsible party for ensuring adequate funding is available for public education. Teacher unions and the People for Education used the findings and recommendations in the report to publicly accuse the government of mean-spirited assaults on public education. Critics of the Harris/Eves government were quick to call the additional funding responding to the report as “too little, too late,” and insist that they had been informing the government of the very problems identified by the task force since the implementation of the funding formula.

Although the frustration of these groups is understandable, it does illuminate the distrust between teachers and some parent groups, and the government in a time where the current conceptions of accountability calls for evidence-based decisions. The government heard the cries of the People for Education and teachers, and collected data accordingly to identify the problems and potential solutions. However, the angered voices of these opposition groups

may also be a product of centralizing governance. Pre-reform, teachers and parents had greater power and authority to act on their concerns, whereas the current system demands their concerns be validated through province-initiated research. This change in the relationship between government, teachers, and parents around schooling has serious implications in redefining the current status of educator professionalism.

Teacher Professionalism

The establishment of the Ontario College of Teachers could be viewed as a significant step towards the professionalization of teachers across the province. It is not at all evident, however, that teachers have gained increased professional autonomy and control over professional matters as a result of the College. This is not to diminish the College's accomplishments, such as the development of *Ethical Standards* and *Standards of Practice*, and the establishment and implementation of a previously non-existent initial teacher education program accreditation process. The College's control over discipline and allegations of professional misconduct is nothing new. This responsibility was simply transferred from the unions to the College.

Perceived gains in professional autonomy and control, however, have been offset by government policy measures that supersede or constrain the College's capacity to shape the nature and context of teacher professionalism in the province. The *Stability and Excellence in Education Act (2001)* and the *Quality in the Classroom Act (2002)* that mandated the qualifying test for initial certification, recertification linked to mandatory continuing professional learning, standardization of teacher appraisal processes, and the incorporation of student and parent input into the teacher appraisal process were government policy initiatives. These policies did not originate as OCT proposals, and the OCT has gone on record as opposed to some elements of those policies. The government, however, has designated OCT as the implementation agency responsible for enactment of the Qualifying Test and the recertification process. OCT has no formal role regarding the new teacher appraisal process.

The creation of the Ontario College of Teachers created a rift in teacher leadership. OCT took over powers that had been previously carried out by the teacher unions (e.g., control over disciplinary proceedings) and challenged the chief spokesperson role of the unions on teachers' behalf. Initially, the unions tried unsuccessfully to gain control of the College leadership by running a slate of candidates for the College board. Now the organizations co-exist, but they do not act as partners in their dealings with teachers, the boards, and the Ministry. In terms of teacher professionalism, it is significant to note that non-teachers appointed to the governing board of the College of Teachers outnumber the certified teachers elected by its members.

Since Bill 160, the role of the Ontario teacher federations has become more narrowly restricted to labour advocacy. Opportunity for teacher participation in policy development and matters associated with teachers' professional status and development has shifted from the federations to the College of Teachers. The power of the unions has been further eroded by the changes to the provincial funding formula, and by more centralized control and regulations over teacher working conditions invoked in Bill 160, Bill 74, and Bill 28. Centralization of funding, the removal of local board authority to raise additional money through property tax adjustments, and the legislation making co-curricular activities mandatory teaching duties have severely constrained the unions' capacity to bargain for increased wages and benefits. Legislation to control things like class size, preparation time, instructional time, and the number of instructional days by provincial regulation, rather than by contract negotiation has effectively removed much of the traditional working conditions content of collective bargaining from local teacher union control. The stage seems set for a shift to provincial rather than local contract bargaining with the unions. While teacher unions may not be viewed as "professional" organizations, the governments' efforts to delimit the power of the unions through more centralized control and regulation of funding and working conditions are indicative of an overall reduction in teacher autonomy in the province that has not been fundamentally offset by the presence and actions of the College of Teachers.

Key Legislations

Key Legislation and Policy Memoranda Consulted (all accessible on the Ontario Ministry of Education website)

Bill 30 *Education Quality and Accountability Office Act, 1996*

Bill 31 *Ontario College of Teachers Act, 1996*

Bill 104 *Fewer School Boards Act, 1997*

Bill 160 *Education Quality Improvement Act, 1997*

Bill 74 *Education Accountability Act, 2000*

Bill 81 *Safe Schools Act, 2000*

Bill 45 *Equity in Education Tax Credit, 2001*

Bill 80 *Stability and Excellence in Education Act, 2001*

Bill 28 *Back to School and Educational and Provincial Negotiations Act, 2003*

An act respecting the equity in education tax credit, Ontario Legislative Assembly,
4th Session (2003)

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