

Submission by the

**Ontario Teachers' Federation/
Fédération des enseignantes et
des enseignants de l'Ontario**

to the

Standing Committee on Legislative Affairs

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**Bill 52, *Education Statute Law Amendment Act*
(Learning to Age 18), 2005**

August 30, 2006

OITF/FEO

The Ontario Teachers' Federation (OTF) welcomes this opportunity to provide the Standing Committee on Legislative Affairs with feedback on Bill 52, *Education Statute Law Amendment Act* (Learning to Age 18), 2005 (Bill 52). OTF is the statutory organization representing the professional interests of teachers employed in the publicly funded schools of Ontario. It is composed of four affiliated organizations—l'Association des enseignantes et des enseignants franco-ontariens, the Elementary Teachers' Federation of Ontario, the Ontario English Catholic Teachers' Association and the Ontario Secondary School Teachers' Federation—and has a membership of 155,000 teachers.

The publicly funded education system in Ontario has undergone many significant changes over the last 11 years. One of the unintended consequences has been an increase in the number of high school students who leave without graduating. While the current government has made publicly funded education a top priority in its first mandate, there is much that remains to be done. Many within the education sector have concerns about portions of Bill 52, *Education Statute Law Amendment Act* (Learning to 18), 2005.

When a young person makes the decision to leave high school, there are many contributing factors. Most of these have been documented and described fully by Dr. Bruce Ferguson of the Hospital for Sick Children in his research on school-leavers. Young people who were interviewed for the research study commented about:

- irrelevant curriculum;
- the level of difficulty of courses;
- feelings of isolation and abandonment; and
- the lack of time and attention teachers were able to give to them.

In addition to the research done by Dr. Bruce Ferguson, there are telling statistics from Dr. Alan King's Double Cohort Study (Phases 3 and 4) supporting the need to focus on these students at risk.

In order to maximize every Ontario high school student's chances of success, the current government has demonstrated its commitment to students and student learning throughout their school careers with initiatives such as:

- the Curriculum Review process;
- increased funding in select areas;
- smaller classes at the primary level; and
- the Student Success/Learning to 18 Strategy.

It is the Student Success/Learning to 18 Strategy that will, undoubtedly, have the greatest impact on the system for high school students. OTF's concerns with Bill 52 focus on the proposed amendments to the *Education Act* and complementary amendments to the *Highway Traffic Act*. Among our concerns are:

- Equivalent Learning
- Attendance
- Linking Compulsory Attendance in Section 21 of the *Education Act* to obtaining and maintaining a driver's licence.

Equivalent Learning

The proposals in this Bill which concern the teachers of Ontario most deeply are those related to equivalent learning.

General reaction to the suggestion of an alternative diploma was extremely negative. The public reaction which was shared by educators was that a consolation diploma devalues the student and all student learning. An Ontario Secondary School Diploma (OSSD) should hold the same value and significance for every Ontario student who earns it.

There is more ready acceptance for the proposed High Skills Major Diploma partly because it does not change the intent, content or rigour of the OSSD.

The issue for the Ontario Teachers' Federation is the proposed provisions for equivalent learning which the bill defines as "...a learning situation that falls outside the instruction traditionally provided by a board and for which a pupil's success can be reasonably evaluated..."

As a legal construct, such a definition is extremely vague. While the framers of the Bill may have intended to convey flexibility, the definitions are so loose as to be meaningless. They may, in fact, be counter productive in opening eligibility to activities and programs which will not contribute to the Government's stated policy of keeping students learning until 18.

The legal definition needs more precision and, at the very least, there should be a requirement for Ministry of Education approvals. Such approvals should be clearly defined in Regulation. The Regulation should outline the rigour in standards and accountability. The process for obtaining Ministry approval should be more than a requirement to obtain a business licence.

Another concern of the teachers of Ontario in this section of the Bill is the silence on accreditation or standards for those who would deliver these equivalent learning programs. Research tells us that teachers are a significant factor in student success.

One of the statutory objects of the Ontario Teachers' Federation is to enhance the teaching profession. In its more than 60-year history, OTF has continually promoted higher standards and greater professional development for Ontario's teachers. This section of the Bill has a legal loophole that undermines students' access to the most qualified teachers in the country. The current language places no restrictions on or definition of instructors. Such an oversight leaves the door open to unqualified people.

Attendance

Each school board operates differently in terms of attendance monitoring and counseling. The more support there is for students, especially those deemed 'at-risk', through the regular use of attendance counselors, social workers, child and youth workers and other educational support workers, the greater the chances of success. Conventional wisdom has always told us that prevention is of greater value than cure. Investments in these kinds of programs that keep students in school will pay greater dividends than punitive actions.

School boards and individual schools have a wide range of policies and practices governing lates and/or absences. Sometimes a parent is notified on the child's third late, other times not until the tenth late. The term habitually absent needs a clear definition understood by all schools and boards. How will attendance be monitored to include licencing? Will all students be treated equally? How will the payment of fines for non-attendance be administered by the school/school board and for purposes of obtaining a driver's licence?

Section 21 of the *Education Act*

Currently, Section 21 of the *Act* deals with compulsory attendance from ages 5 through 16. There is little evidence that tying compulsory attendance to the right of a young person to obtain and maintain a driver's licence will have the desired effect.

There are some students for whom this proposed restriction has no relevance. But for others, not having access to a driver's licence is an unfair and disproportionate burden. Some students living in urban areas may not feel a need to have a licence, whether or not they are in school full-time. Many students from low income families may never be able to afford the insurance to become drivers. Conversely, some students in rural or farming communities may be required to have a licence to help out with family obligations and circumstances. In the former situation, the link to compulsory attendance could be seen as irrelevant and, in the latter situation, it could be seen as punitive.

In conclusion, the Ontario Teachers' Federation asks that the Government take a closer look at the absence of clarity in parts of this Bill. We share the Government's goal in enhancing and strengthening the educational experiences of Ontario's more than 2 million students.

Ontario's 155,000 teachers in our publicly funded schools are on the verge of meeting those 2 million students to begin a new school year. We want this year to give every student the best opportunities for success. Every student deserves a school career that ends with an OSSD. It would be most unfortunate if, due to imprecise legislative wording, the Bill has the opposite effect and undermines student success.

The Ontario Teachers' Federation remains willing to assist the Government in rectifying these problems.