



Ontario's Teaching Regulator
L'organisme de réglementation
de l'enseignement en Ontario

Memo

Date: September 25, 2024 (Revised September 30, 2024)
To: Members of Council
From: Linda Lacroix, OCT
Registrar and CEO
Subject: Regulatory and Bylaw Amendments

Attached at Appendix A, B, and C are proposed regulatory amendments to the Teachers' Qualifications Regulation (O. Reg. 176/10) and the Accreditation of Teacher Education Programs Regulation (O. Reg. 347/02) of the *Ontario College of Teachers Act, 1996* (the "Act"), as well as proposed amendments to the College's Bylaws. The regulatory amendments are confidential and were drafted by College and Ministry staff to give effect to previous Council direction or are necessary because of amendments made to legislation, as outlined below.

Background

Title change to the French description of "éducation de l'enfance en difficulté" to "éducation spécialisée" [See Appendix D for additional background information]

On June 6, 2024, acting on a request from the Deputy Minister of Education, Council approved the following motions in order to align the name of this qualification with terminology in use by partners in the education sector:

- 1. That Council request that the Minister of Education amend O. Reg. 176/10, Teachers' Qualifications and O. Reg. 347/02, Accreditation of Teacher Education Programs to change "éducation de l'enfance en difficulté" to "éducation spécialisée".**
- 2. That Council approve the retroactive name change from "éducation de l'enfance en difficulté" to "éducation spécialisée" on the certificates of all members who have previously been granted the qualification.**

Math Proficiency Test – Consequential Amendments [See Appendix E for additional background information]

On May 30, 2024, the Minister of Education announced that the Mathematics Proficiency Test (MPT) will be reinstated as a certification requirement for teachers in Ontario as of February 1, 2025. Regulatory amendments are necessary to ensure that those on Transitional Certificates and Multi-Session Transitional Certificates must successfully complete the MPT in order to convert to a general certificate. Amendments are also required to ensure that reapplicants for certification must successfully complete the MPT.

On March 21, 2024, Council approved the following motion:

That College staff are authorized to work with Ministry of Education staff to determine how the reintroduction of the MPT impacts applicants and develop consequential amendments to the Teachers' Qualifications Regulation for Council consideration.

Amend the definitions of "general education" and "technological education" [See Appendix F for definition change under O. Reg. 298: *Operation of Schools*]

On May 29, 2024, the Ministry of Education amended the definitions of "General Education" and "Technological Education" as defined under O. Reg. 298: *Operation of Schools* requiring consequential amendments to O. Reg. 176/10 to align with the new definitions:

That Council approve the amendment to O. Reg. 176/10 Teachers' Qualifications to change the definition of "general education" and "technological education" to better align with the recently amended definitions under O. Reg. 298: *Operation of Schools*.

Amend the term "private career college" and reference to the "*Private Career Colleges Act, 2005*" following the enactment of the *Less Red Tape, Stronger Economy Act, 2023* [See Appendix G for name changes made pursuant to SCHEDULE 29 of Bill 91]

On June 8, 2023, Bill 91, the *Less Red Tape, Stronger Economy Act, 2023* received Royal Assent and changed the name of "private career college" to "career college" and renamed the *Private Career Colleges Act, 2005* to *Ontario Career Colleges Act, 2005* requiring consequential amendments to O. Reg. 176/10 to align with name changes:

That Council approve the amendment to O. Reg. 176/10 Teachers' Qualifications to align the reference to "private career college" and "*Private Career Colleges Act, 2005*" with changes made pursuant to Bill 91, *Less Red Tape, Stronger Economy Act, 2023*.

Remove outdated references to the "Temporary Certificate" in O. Reg. 176/10 [See Appendix H for additional background information]

On July 19, 2023, and following its review of the proposed new Transitional Certificate of Qualification and Registration on June 8, 2023, Council approved the creation of this new category of certificate of qualification and registration to replace the Temporary Certificate:

That Council approve the proposed amendments to Ontario Regulation 176/10, Teachers' Qualifications, as outlined in Document 44, Attachment 1. [See Appendix H "Memo re: Proposed Regulatory Amendments – Teachers' Qualifications".]

Sexual Abuse Prevention Program – Implementation of Compliance Mechanism, effective July 2, 2025 [See Appendix I for additional background information]

On March 21, 2024, Council was briefed on a proposed compliance mechanism for Ontario Certified Teachers (“OCTs”) who had not completed the Sexual Abuse Prevention Program (the “SAPP”) as required by section 47.2 of the Act. At the relevant time, the College recommended to Council that Council make a request to the Minister of Education to introduce regulations pursuant to paragraphs 25 and 26 of subsection 40(1) of the Act to permit the College to establish a process to administratively suspend members who fail to complete ongoing education requirements such as the SAPP.

Council was further briefed on the number of OCTs, as of February 1, 2024 who had not yet completed the SAPP [please refer to Appendix I for those statistics]. Since that time and effective September 18, 2024, 98.3% of OCTs (226,683) in good standing have completed the SAPP, 1.6% (3,629 OCTs) have not completed the SAPP and of the OCTs who have not completed the SAPP, 1,578 OCTs had their 2023 Annual Membership Fee (“AMF”) paid through their school board or independent schools while 2,051 OCTs paid their AMF directly to the College.

Finally, Council was advised of the College’s rationale for recommending that Council endorse a compliance mechanism and was briefed on the College’s robust communications initiatives to inform OCTs of their obligation to complete the SAPP, efforts to encourage voluntary compliance with the SAPP requirement, and the College’s future plan to communicate to OCTs details of the new compliance mechanism should it be endorsed by Council [see Appendix I for additional background information].

Acting on this information, Council approved the following motion:

That Council recommend to the Minister of Education that new regulations be enacted pursuant to paragraphs 25 and 26 of subsection 40(1) of the *Ontario College of Teachers Act* to permit the College to establish a process to administratively suspend members who fail to complete the Sexual Abuse Prevention Program (the “SAPP”) before July 2, 2025. The specified parameters of these regulations will include:

1. Intent to Suspend Notice

The Registrar shall not suspend a member’s certificate of qualification and registration without first giving the member two months’ notice of intention to suspend.

2. Reinstatement

Members whose certificate of qualification and registration was suspended as a result of their failure to complete the SAPP before July 2, 2025 are eligible to have the suspension lifted upon successful completion of the SAPP and payment of a reinstatement fee of \$130 (as required by section 18.03 of the College bylaws for removal of a license suspension).

3. Public Register Notation

OCTs whose membership has been administratively suspended for failing to complete the SAPP before July 2, 2025 will have a status indicating the

administrative suspension on the Public Register until they have completed the SAPP.

These regulatory amendments have been developed by the College and Ministry of Education and are now before you for consideration.

Next Steps

Should Council approve this recommendation, College staff will work in collaboration with stakeholders to ensure that they are made aware of and understand the details of the SAPP compliance mechanism, as well as communicate to members who have not yet completed the SAPP details of the compliance mechanism and their requirement to comply with it through various channels, including:

- *Your College and You*
- College website
 - Updated FAQs
 - Homepage news item
 - SAPP page
- New pop-up in OCT accounts for “Incompletes”
- Email notices and direct mail
- Automated phone calls.

Communications will be tailored to OCTs employed in the education sector and to those employed outside of public education. The College will communicate to school boards and private schools who employ OCTs that any members they employ who have not completed the SAPP before July 2, 2025, will no longer be in good standing as of that date and will provide school boards and private schools who employ OCTs with a list of names of these members.

Decision

Regulatory Amendments

The regulatory amendments attached at Appendix A, B, and C have been drafted by College and Ministry of Education staff, and are either in accordance with the direction previously provided by Council or are necessary because of amendments made to legislation. These amendments are now provided for Council’s review and approval.

Upon Council approval, the regulatory amendments would be signed by the Chair of Council and the Registrar, and then sent to the Ministry of Education to be filed (i.e., formally amend the regulations).

It is therefore recommended:

That Council approve the amendments to Ontario Regulations 176/10, Teachers' Qualifications and 347/02, Accreditation of Teacher Education Programs, as outlined in Appendices A, B, and C.

Bylaws

MPT - In respect of the College's Bylaws and in relation to the proposed amendments recommended in respect of the Math Proficiency Test, it is further recommended that Council remove from the bylaws a requirement that completion of the test be noted on a member's public register page. This change was made in light of the initial launch of the test in 2020 when all applicants and members could take the test.

However, in the relaunch of the test in 2024, current members with general certificates have no ability to take the test and allowing test completion to appear on some public register pages but not all could lead to inequitable impacts on hiring/teacher assignment decisions. It is therefore recommended:

That Council approve an amendment to the College Bylaws to delete section 20.01(o), as follows:

~~20.01(o) a statement indicating successful completion of a mathematics proficiency test by a member, if required by the Act or any regulation made under the Act.~~