

Council Briefing Note

Item:	Special Education – Regulatory Amendments
Public Interest Rationale:	The proposed amendment to the French translation of “Special Education” better aligns with the language used in the English version of the Regulation and reflects the nature of the curriculum that is focused on specialized strategies and approaches that meet the needs of the students. This is also reported by the Ministry as being broadly supported by a variety of education stakeholders and the public.
Strategic Alignment:	Supports the College’s commitment to a regulatory model that is free from barriers to truth and reconciliation, and equity, diversity, inclusion, and access.
Submitted By:	Saran Ragunathan Director, Policy, Governance and Tribunals

Issue

As a result of changes made to the French term “education de l’enfance en difficulté” (“special education”) in provincial education legislation, consequential amendments are now needed in College regulations, specifically Règl. de l’Ont. 176/10 and Règl. de l’Ont. 347/02. The current language translates to “education for children with difficulties”. It is recommended that updates be made to French versions of the above noted regulations to reflect more inclusive language.

The Deputy Minister of Education has requested that Council make this change to all relevant areas of College legislation, in correspondence attached as Appendix A.

Background

The *Better Schools and Student Outcomes Act, 2023* received Royal Assent on June 8, 2023. This legislation changed the phrase « enfance en difficulté » to « éducation spécialisée » in the *Education Act* and in the *Ontarians with Disabilities Act, 2001*. These changes address the concerns of parents of children with special education needs and the education sector more broadly. The changes are not yet proclaimed.

The Ministry of Education advised the College that it has consulted with relevant education partners regarding the French translation of “special education” in the *Education Act*.

Rationale

The Ministry of Education proposes changing the French-language translation of “special education” to « éducation spécialisée » (specialized education) in over 40 regulations to be more inclusive. The proposed changes would align with changes to the *Education Act* and the *Ontarians with Disabilities Act, 2011* that will come into force at a future date. Given the proposed changes to several education related regulations, it is reasonable that the College’s own translated regulations mirror those found in these statutes and regulations.



The proposed changes would be more inclusive and respond to concerns of parents of children with special education needs and the education sector more broadly.

Risks and Mitigating Factors

There is greater risk to maintaining the status quo than to proceeding with the recommended amendments. Public confidence in the College's ability to regulate the profession could be harmed by continuing to use the outdated French translation of "special education" which is non-inclusive and disparaging towards children with special needs. It could also lead to confusion if the College's terminology falls out of alignment with the broader legislative framework and updated terminology.

Recommendations

The College recommends that Council approve the request from the Deputy Minister to rename the qualification given the importance of supporting the College's commitment to a regulatory model that is free from barriers to truth and reconciliation, and equity, diversity, inclusion, and access. The attached Appendix "B" includes the relevant sections where the terminology appears in the College's regulations.

The College also recommends that the translation change apply to all existing certificates of qualification and registration where a member has obtained a qualification in special education, and to the certificates of future members who obtain the qualification. This change would extend to qualifications granted by equivalent standing for coursework completed outside Ontario. This retroactive application also aligns with previous changes to qualifications that were made to reflect more inclusive terminology.

Decisions Sought

- 1. That Council request that the Minister of Education amend Regulation 176/10, Teachers' Qualifications and Regulation 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.**

Next Steps

If Council approves the recommendation outlined above, the College will work with the Ministry to draft corresponding regulations and provide the proposed regulatory amendments to Council at a subsequent meeting. Once these amendments have been made to the College's legislation, all affected members would be immediately informed of the changes to their records. Education partners, including AQ providers and the Qualifications Evaluation Council of Ontario, would also be notified and AQ guidelines would be modified to reflect the new terminology.

Ministry of Education

Deputy Minister

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Toronto ON M7A 2A5

Ministère de l'Éducation

Sous-ministre

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May 28, 2024

Linda Lacroix
Registrar and CEO
Ontario College of Teachers
101 Bloor Street West
Toronto ON M5S 0A1

RE: Request to amend two *Ontario College of Teachers Act, 1996* regulations to update the French-language terminology for special education

Dear Ms. Lacroix:

As you know, the *Better Schools and Student Outcomes Act, 2023*, received Royal Assent on June 8, 2023. Through this legislation, the government took the first step to address the concerns of parents of children with special education needs and the education sector more broadly to replace the phrase « enfance en difficulté » with « éducation spécialisée » in the *Education Act* and in the *Ontarians with Disabilities Act, 2001*.

The amendments to the Acts were passed but are not yet in force. The Ministry of Education is preparing regulatory amendments to change this terminology where it appears in Ontario regulations as well. The intent would be to bring all the changes into force at the same time, so that there is consistency throughout the legislation.

As the government plans to move forward to update the French-language terminology across these legislative instruments, your assistance is needed in making translation amendments to two regulations under the *Ontario College of Teachers Act, 1996*: **O. Reg. 176/10: Teachers' Qualifications** and **O. Reg. 347/02: Accreditation of Teacher Education Programs**.

As such, I am requesting these changes be presented and approved by the Ontario College of Teachers' Council at its next meeting on June 6, 2024.

Please note that the new French-language terminology for special education is simply a translation correction and does not represent a policy change. Stakeholders, including parents of children with special education needs, are eager to begin using the new, more inclusive French-language terminology.

With your collaboration, we can take meaningful and timely action to promote the acceptance and inclusion of students of all abilities.

Thank you for considering my request. My team and I remain available to answer any questions you might have.

Sincerely,

A handwritten signature in black ink that reads "K. Manson-Smith". The signature is written in a cursive, flowing style.

Kate Manson-Smith
Deputy Minister

c: Didier Pomerleau, Assistant Deputy Minister, French-Language Education Division,
Ministry of Education

Phil Graham, Assistant Deputy Minister, Strategic Policy and Planning Division,
Ministry of Education



APPENDIX D - Attachment 2

It is recommended that the following sections of Règl. de l'Ont. 176/10 be amended:

- Section 26.(1)b)(v) ~~Éducation de l'enfance en difficulté~~ **Éducation spécialisée.**
- Section 28.(2)3.vii. ~~Éducation de l'enfance en difficulté~~ **Éducation spécialisée.**
- Section 46.(5) 4., 5., 6., 7., 8., 9., 10., and 11. ~~Éducation de l'enfance en difficulté~~ **Éducation spécialisée.**
- ANNEXE C QUALIFICATIONS - ~~Éducation de l'enfance en difficulté~~ **Éducation spécialisée** pour les administrateurs.
- ANNEXE D QUALIFICATIONS DE SPÉCIALISTE EN TROIS PARTIES - ~~Éducation de l'enfance en difficulté~~ **Éducation spécialisée.**

It is recommended that the following sections of Règl. de l'Ont. 347/02 be amended:

- ANNEXE 1 CONNAISSANCE DU CURRICULUM

1. Le programme permet à l'étudiant qui suit un programme de formation professionnelle de connaître et de comprendre le curriculum actuel de l'Ontario et les documents de politique provinciaux qui se rapportent aux domaines d'études de l'étudiant et à son curriculum, notamment la planification et la conception, ~~l'éducation de l'enfance en difficulté~~ **l'éducation spécialisée**, l'équité et la diversité, ainsi que l'évaluation de l'apprentissage.
- ANNEXE 1 CONNAISSANCE DES STRATÉGIES EN MATIÈRE DE PÉDAGOGIE ET D'ENSEIGNEMENT

10. Les politiques, les évaluations et les pratiques qui entrent en ligne de compte pour répondre aux besoins et aux points forts de tous les élèves, y compris ceux qui ont été identifiés comme ayant besoin de soutien au titre de ~~l'éducation de l'enfance en difficulté~~ **l'éducation spécialisée.**