

# Ontario School Board Hiring Practices

## Hiring Practices – Consultation Paper

### MESSAGE FROM THE MINISTER OF EDUCATION

Dear partners,

In June 2018, Ontario elected a government committed to restoring accountability and trust in Ontario's public institutions and finances.

Ontario's Government for the People has just concluded the largest public consultation on education in the province's history. This comprehensive education consultation had participation from parents, students, educators, employers and organizations from across Ontario.

We have also recently concluded this year's consultation on education funding reform. The feedback we received will help us to deliver vital education programs and services efficiently.

At the Ministry of Education we are committed to working together with our education partners to achieve student success. We continue to look to our education partners to provide input on how we can achieve greater efficiencies and accountability throughout the sector and, through this guide, we are seeking your input on teacher hiring practices in Ontario.

Our Government looks forward to working with all of you.

Sincerely,

The Honourable Lisa Thompson  
Minister of Education

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### INTRODUCTION

The Ministry of Education recognizes teachers as the single most important out-of-the-home factor in student success. This is supported by research that suggests that what teachers know and are able to do is crucial to student learning. As such, teacher quality is paramount in ensuring students are able to succeed in the classroom.

Prior to 2012, hiring practices and the transparency of hiring practices varied across school boards.

Ontario Regulation 274/12 – Hiring Practices (O. Reg. 274/12) came into effect September 2012. The regulation sets mandatory terms and conditions that all school boards who employ Ontario English Catholic Teachers' Association (OECTA), Elementary Teachers' Federation of Ontario (ETFO) or Ontario Secondary School Teachers' Federation (OSSTF) members (i.e. English language school boards) must follow when hiring long-term occasional and permanent teachers.

The Regulation, which is complemented by local collective agreement language, requires these school boards to:

- maintain a roster of occasional teachers (OTs) and establish a separate long-term occasional (LTO) teachers' list and rank OTs based on their seniority on the OT and LTO lists
- post long-term occasional teacher positions on their website
- conduct debrief interviews with unsuccessful candidates when requested
- only hire teachers to LTO and permanent positions from the LTO teachers' list (or OT roster), based on qualifications and seniority, giving due regard for the provision of the best possible program, safety and well-being of students, as required under Ontario Regulation 298 of the Revised Regulations of Ontario, 1990 (Operation of Schools – General).

The purpose of O. Reg. 274/12 was to bring greater transparency, fairness, consistency, and accountability to school board hiring practices of teachers. However, since its implementation, stakeholders, including parents, principals, directors of education and teachers, have raised concerns about the regulation. As boards make hiring decisions under the Regulation, we have been told that student success may be negatively impacted and there have been some unintended consequences, such as increased principal workload and classroom teacher turnover, which impact consistency in the classroom.

### ABOUT THIS CONSULTATION

Education partners and stakeholders are being given an opportunity to provide feedback about O. Reg. 274/12 via consultation to address concerns shared with the Ministry of Education. We would like feedback on the following principles, with a lens to having quality teaching in the classroom for all students:

- transparency
- consistency
- clarity
- diversity & equity
- reducing administrative burden

Stakeholders and partners are encouraged to send written feedback (see Appendix 1 for template) to [PTPSB@Ontario.ca](mailto:PTPSB@Ontario.ca) by February 22<sup>nd</sup>, 2019.

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### CONSIDERATIONS

#### Providing for Teacher Mobility

Currently, if a permanent teacher relocates to another school board they lose all of their accumulated seniority and have to begin as a daily OT in the new school board. As a result, it can take the relocating teacher a number of years before they are able to secure a permanent teaching position in their new school board. Permanent teachers could see this as a barrier to relocating. This is because school boards can only hire teachers for permanent teaching positions from their OT roster and LTO list. As such, relocating permanent teachers must first apply and be interviewed for placement on the school board's roster of occasional teachers.

Per the Regulation, a teacher is placed on a school board's OT roster and ranked by their seniority as an OT in that particular school board. Once they have been hired, they must teach at least 20 days over a ten-month period to be eligible to interview for the LTO list. When that school board hires for a LTO or permanent position, the board must interview and offer the position to the five teachers with the highest seniority with the appropriate qualifications in their school board. Following the completion of a four-month (80 instructional days) LTO assignment, without an unsatisfactory evaluation, the teacher is eligible to apply for inclusion on the LTO list and then for permanent teaching positions. However, there is variation across teacher federations; for example, the regulation does not apply to Association des enseignantes et des enseignants franco-ontariens (AEFO).

#### Discussion Questions:

1. What changes could be made to O. Reg. 274/12 to provide greater mobility for relocating occasional and permanent teachers or principals and vice-principals returning to teaching?
2. Is there a need to have both an OT roster and LTO list, or could these be merged together to create one without hindering clarity and transparency?
3. How could teaching experience be made portable for hiring purposes (i.e. recognizing all teaching experience, not just experience with a particular board)?

#### Interviewing the Most Qualified Candidates

For any LTO or permanent teaching position, under the current regulation, a school board must interview the five teachers from the LTO list who (i) are the most senior, (ii) have the required qualifications for the position and (iii) have agreed to be interviewed. If a teacher meets or exceeds the qualifications for the position, but is not part of the five most senior teachers, they would not qualify for an interview (unless all five of the interviewed candidates did not accept the position after it was offered to them). As such, the opportunity to hire this qualified candidate, and impact student learning in a positive way, would be missed.

#### Discussion Questions:

1. Would increasing the current cap of five teachers to, for example, eight, result in any meaningful and helpful change? Or would this just increase the administrative burden of principals and school boards and add to teacher churn for time to fill vacancies during the school year?
2. If interview list caps were removed altogether, how should interviews be structured?
3. Currently the regulation lists three elements used to select interviewees. What elements would you like to see in a regulation for selecting a group of interviewees that would maintain consistency and transparency?

## Hiring Practices – Consultation Paper

### Determining the Basis for Hiring

O. Reg. 274/12 requires school boards to organize their OT roster and LTO list based on the date each teacher was hired. When a teaching position becomes available, school boards must interview and hire candidates that have the highest seniority on the OT roster and LTO list.

Consistent and transparent hiring practices are important; however, the ministry has heard concerns about hiring that is heavily based on seniority, including:

- Seniority-based hiring values only time spent on a list. It does not value quality of teaching, commitment to students, experience/time spent in a particular school, or suitability for the particular assignment.
  - Examples of situations we have heard include schools looking for teachers with qualifications in music, math, physical education, indigenous languages, or to recruit based on diversity, but these might not be the teachers with the most seniority.

### Discussion Questions:

1. How can the current focus on seniority-based hiring be changed so that hiring practices consider impact on student success, quality of teaching, diversity and transparency, while remaining consistent and fair?
2. How can hiring practices that are not seniority-based prevent bias from entering the hiring process?
3. Other than seniority, what components would you like to see in hiring practices for teachers?

### Applying Hiring Practices Across the System

Currently, the application of the Regulation's sections is determined by the position to which the teacher is applying. For example, sections 10 to 15 of the Regulation apply to the hiring of occasional teachers in bargaining units represented by OECTA, while members belonging to AEFO are exempt from the Regulation altogether. As such, even though there is a regulation intended to standardize hiring practices across the province, hiring practices look different depending on which position the teacher is applying to.

### Discussion Questions:

1. Can a consistent set of hiring practices work effectively across the province?
  - If yes, why?
  - If no, why not?
2. Could there be a parallel set of hiring practices for vice-principals who return to bargaining units?
3. What hiring practice criteria can work if applied across the province (e.g. minimum posting requirements)?

## **CONCLUSION**

As all organizations do, the government must continue to look for innovative best practices that will help us meet our organizational goals of preparing students for success while in K-12 classrooms and following graduation. One way of doing this is to look at the ways we are currently working on meeting our goals and identify opportunities to improve current practices.

Thank you for your interest in this important matter. We look forward to receiving your feedback.

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### Appendix 1 – Feedback Form

This is the feedback form that will be used to frame feedback about Ontario Regulation 274/12 – Hiring Practice. Please submit feedback to [PTPSB@Ontario.ca](mailto:PTPSB@Ontario.ca) by February 22nd, 2019.

#### Ontario Regulation 274/12 – Hiring Practice Feedback Form

Name:

Title (if applicable):

Organization (if applicable):

#### Providing for Teacher Mobility

##### Guiding Questions

- What changes could be made to O. Reg. 274/12 to provide greater mobility for relocating occasional and permanent teachers or principals and vice-principals returning to teaching?
- Is there a need to have both an OT roster and LTO list, or could these be merged together to create one without hindering clarity and transparency?
- How could teaching experience be made portable for hiring purposes (i.e. recognizing all teaching experience, not just experience with a particular board)?

Feedback:

#### Interviewing the Most Qualified Candidates

##### Guiding Questions

- Would increasing the current cap of five teachers to, for example, eight, result in any meaningful and helpful change? Or would this just increase the administrative burden of principals and school boards and add to teacher churn for time to fill vacancies during the school year?
- If interview list caps were removed altogether, how should interviews be structured?
- Currently the regulation lists three elements ((i) are the most senior, (ii) have the required qualifications for the position and (iii) have agreed to be interviewed) used to select interviewees. What elements would you like to see in a regulation for selecting a group of interviewees that would maintain consistency and transparency?

Feedback:

## Hiring Practices – Consultation Paper

### Determining the Basis for Hiring

#### Guiding Questions

- How can the current focus on seniority-based hiring be changed so that hiring practices consider impact on student success, quality of teaching, diversity and transparency, while remaining consistent and fair?
- How can hiring practices that are not seniority-based prevent bias from entering into the hiring process?
- Other than seniority, what components would you like to see in hiring practices for teachers?

Feedback:

### Applying Hiring Practices Across the System

#### Guiding Questions

- Can a consistent set of hiring practices work effectively across the province? If yes, why? If no, why not?
- Could there be a parallel set of hiring practices for vice-principals who return to bargaining units?
- What hiring practice criteria can work if applied across the province (e.g. minimum posting requirements)?

Feedback: