



November 22, 2021

The Honourable Stephen Lecce
Minister of Education
438 University Avenue, 5th Floor
Toronto ON M7A 2A5

Dear Minister Lecce,

We are writing to share recommendations made by the Transition Supervisory Officer (TSO) related to the extension and expansion of the Temporary Certificate of Qualification and Registration; a consequential amendment to the Teachers' Qualifications Regulation; a proposal for a professional designation that can be used by Inactive/Non-Practising members; and the withdrawal of an Additional Qualification request.

Temporary Certificate – Extension and Expansion

On October 22, 2021, the Ministry notified the College that, in consultation with the Ontario Association of Deans of Education (OADE) and the Council of Ontario Directors of Education (CODE), it requests that the Temporary Certificate of Qualification and Registration be offered to a new cohort of teacher candidates in Ontario Faculties of Education, namely the 2022 graduating class. The rationale was the same as that which led to the creation of Temporary Certificates in 2020 (for the 2021 graduating class) in that school boards are facing acute staffing shortages and Temporary Certificate holders can be hired to help relieve some of that pressure. In addition, due to the challenges in securing practicum placements for teacher candidates, the Ministry requested that the Temporary Certificate also act as a vehicle for completing practicum requirements through occasional teaching.

The Ministry has also proposed allowing current Temporary Certificates that are set to expire on December 31, 2021 to be extended. Many of these individuals are teaching across the province, but require additional time to complete their programs and convert their Temporary Certificate to a general certificate. The proposed extension pathway for existing holders of the Temporary Certificate will mean that the December 31, 2021 expiry date can be extended to June 30, 2022.

The Temporary Certificate for the 2022 graduating class of teacher candidates will have similar requirements to the existing Temporary Certificate, including completion of the program prior to December 31, 2022. While on the Temporary Certificate, these teacher candidates would be considered members of the College. They would have the rights and responsibilities of members and they would be required to adhere to the Standards of

Practice and Ethical Standards for the Teaching Profession. The College would have jurisdiction to address any conduct by these members in contravention of these standards.

On November 8, 2021, the TSO, acting in his capacity as Council, approved amendments to Regulation 176/10 in order to provide:

- 1. An extension pathway for Temporary Certificates of Qualification and Registration granted in 2021; and**
- 2. The offering of one-year Temporary Certificates to Ontario teacher candidates set to complete their teacher education programs in 2022, as well as eligible labour mobility applicants.**

This motion is included in a briefing note reviewed by the TSO and attached to this letter as Appendix “A”. On November 9, 2021, the TSO signed a regulation reflecting the direction above. The College looks forward to working with the Ministry of Education on implementation of the extension and expansion of the Temporary Certificate.

TQR Consequential Amendment

The *Building Opportunities in the Skilled Trades Act, 2021* (BOSTA) received Royal Assent on June 3, 2021 and its proclamation into force by the Lieutenant Governor is anticipated on January 1, 2022. BOSTA “sets out provisions regarding the practice of trades in Ontario and apprenticeship training and certification and provides for the continuation of the Ontario College of Trades under the name Skilled Trades Ontario”.¹ In essence, BOSTA provides for the continuation of certain responsibilities of the Ontario College of Trades, including the granting of certificates.

As a result of BOSTA’s anticipated coming into force, a consequential amendment to the definition of “certificates of apprenticeship” is required in the Teachers’ Qualifications Regulation (Regulation 176/10 or the “TQR”). The definition currently references the *Ontario College of Trades and Apprenticeship Act, 2009*, which is set to be repealed. This legislative reference was to be supplemented with a reference to the *Modernizing the Skilled Trades and Apprenticeship Act* (MSTAA), but the MSTAA has itself been superseded by BOSTA.

On November 8, 2021, the TSO, acting in his capacity as Council, approved the following amendments to Regulation 176/10:

¹ BOSTA Explanatory Note: [Building Opportunities in the Skilled Trades Act, 2021, S.O. 2021, c. 28 - Bill 288 \(ontario.ca\)](https://www.ontario.ca/gov/building-opportunities-in-the-skilled-trades-act-2021)

“certificate of apprenticeship” means,

(a) a certificate provided under section 66 of the *Ontario College of Trades and Apprenticeship Act, 2009* that confirms the successful completion of an apprenticeship program, or

(b) a certificate acceptable to the College that confirms the successful completion of an apprenticeship program; (“certificat d’apprentissage”)

...

Note: On the day section 16 of the *Building Opportunities in the Skilled Trades Act, 2021* ~~section 7 of Schedule 40 (Modernizing the Skilled Trades and Apprenticeship Act, 2019)~~ to the *Protecting What Matters Most (Budget Measures) Act, 2019* comes into force, the definition of “certificate of apprenticeship” in subsection 1 (1) of the Regulation is amended by striking out “or” at the end of clause (a) and adding the following clause: (See: O. Reg. 617/20, s. 1 (2))

(a.1) a certificate provided under section 16 of the *Building Opportunities in the Skilled Trades Act, 2021* ~~7 of the *Modernizing the Skilled Trades and Apprenticeship Act, 2019*~~ that confirms the successful completion of an apprenticeship program, or

...

This motion is included in a briefing note reviewed by the TSO and attached to this letter as Appendix “B”. On November 15, 2021, the TSO signed a regulation reflecting the direction above. The College looks forward to working with the Ministry of Education on implementation of these consequential regulatory amendments.

Inactive/Non-Practising Professional Designation

Bill 13, or the *Supporting People and Businesses Act, 2021*, includes proposed amendments to the *Ontario College of Teachers Act* that will protect the College’s “OCT” professional designation. The proposed provisions restrict use of the OCT designation to members of the College and provide for sanctions should the designation be used by non-members. The College has requested right to title protections in order to reflect the College’s longstanding practice that only College members *in good standing* may use the “OCT” designation. However, Bill 13 goes beyond the College’s request and allows the “OCT” professional designation to be used by all members, whether they are in good standing or not, including those who are suspended for non-payment of fees (e.g., members who have left the profession due to retirement or other employment opportunities) and those who have been suspended for disciplinary reasons.

The proposed amendments in Bill 13 are a public interest risk as suspended members (including retired members who are Suspended-Non-payment of Fees, but are often shown on the register under the courtesy tag “Retired”) are not permitted to teach in the Ontario public school system. The use of the OCT designation by suspended members will likely lead to confusion on the part of school boards, parents and private employers regarding who is in good standing with the College.

The Ministry has proposed allowing for a new “OCT-Inactive/Non-Practising” designation which can be used by all members in the new “Inactive/Non-Practising” membership status, which is set to replace the Suspended-Non-Payment of Fees status. Retired members of the College will be permitted to use this new “OCT-Inactive/Non-Practising” designation. Members suspended for disciplinary reasons will not be permitted to use any professional designation.

On November 12, 2021, the TSO, acting in his capacity as Council, approved the following direction:

- 1. Amend the *Ontario College of Teachers Act* to create a new “OCT-Inactive/Non-Practising” professional designation that may be used by members in the Inactive/Non-Practising status.**
- 2. Prevent members who are suspended by the Discipline Committee from using the “OCT” or “OCT-Inactive/Non-Practising” professional designation for the period of the suspension.**

This motion is included in a briefing note reviewed by the TSO and attached to this letter as Appendix “C”. The College looks forward to working with the Ministry to develop the necessary legislative amendments to carry out the direction noted above.

Withdrawal of Additional Qualification Request

Supporting Cultures of Well-Being

On February 19, 2021, the College requested that the Ministry amend the Teacher’s Qualification Regulation to include a new Schedule D Additional Qualification (AQ): *Supporting Cultures of Well-Being*. However, subsequent stakeholder feedback has indicated that this new AQ may negatively impact the delivery of information on this topic in the initial teacher education program, other AQs and existing resources.

As a result, on November 16, 2021 the TSO approved the following motion:

That the request for a *Supporting Cultures of Well-being* Additional Qualification (AQ) be withdrawn from list of AQs to be enacted.

The College requests that the *Supporting Cultures of Well-Being* AQ be removed from the list of amendments to be developed for the Teachers' Qualifications Regulation.

Sincerely,



Paul Boniferra
Transition Supervisory Officer



Dr. Derek Haime, OCT
Registrar and Chief Executive Officer

Encl.

- Appendix A – Temporary Certificate – Extension and Expansion
- Appendix B – Building Opportunities in the Skilled Trades Act, 2021
- Appendix C – Professional Designation – Inactive Non-Practising

PB/DH/SR/tk-ccs



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Briefing Note

Temporary Certificate – Extension and Expansion

Issue

The Ministry of Education, in consultation with the Ontario Association of Deans of Education (OADE) and the Council of Ontario Directors of Education (CODE), has requested:

1. An extension pathway for current holders of Temporary Certificates; and

numbers of general and transitional certificate holders who are available to address the critical shortage in Ontario.

In late 2020, the Ministry of Education, with the support of OADE and CODE, requested that the College's Council amend the Teachers' Qualifications Regulation (O. Reg. 176/10) to create a pathway for teacher candidates enrolled in Ontario teacher education programs to help address the teacher shortage on an emergency basis. This pathway was approved by Council and the regulation was amended. As of February 1, 2021, Ontario teacher candidates in the 2021 graduating cohort were able to obtain a Temporary Certificate that allows them to gain employment with a school board. Eligible labour mobility applicants were also permitted to apply for the certificate.

Background

The COVID-19 pandemic has caused severe teacher shortages in Ontario school boards due to depleted Occasional Teacher (OT) lists or many OTs declining assignments citing health concerns. The shortages are a public interest risk as students should be taught by qualified teachers.

As a result of shortages, school boards hire unqualified individuals who may not have enrolled or completed an initial teacher education program and are not subject to the College's jurisdiction.

The Ministry has communicated to the College that there are insufficient

The College held a briefing session for school board and faculty of education representatives prior to the initial introduction of the Temporary Certificate. Attendees found the session to be helpful in implementing the new certificate.

The Temporary Certificate has proven to be a successful short-term emergency measure to address severe teacher shortages in Ontario's public school system caused by the impact of the COVID-19 pandemic. As of October 25, 2021, there have been 4,086 Temporary Certificates granted by the College. Of

this pool, 3,643 individuals have converted their Temporary Certificate to a general certificate.

On October 22, 2021, the Ministry notified the College that, in consultation with OADE and CODE, it requests that the Temporary Certificate be offered to a new cohort of teacher candidates in Ontario Faculties of Education, namely the 2022 graduating class. The rationale was the same as that provided in 2020 in that school boards are facing acute staffing shortages. In addition, due to the challenges in securing practicum placements for teacher candidates, the Ministry requested that the Temporary Certificate also act as a vehicle for completing practicum requirements through occasional teaching.

The Ministry has also proposed allowing current Temporary Certificates that are set to expire on December 31, 2021 to be extended. Many of these individuals are teaching across the province, but require additional time to complete their programs and convert their Temporary Certificate to a general certificate.

Proposed Direction

Extension for Existing Holders

The extension pathway for existing holders of the Temporary Certificate will mean that the December 31, 2021 expiry date can be extended to June 30, 2022. As of October 25, 2021, there were 443 Temporary Certificate holders who face expiry of their certificates at the end of 2021.

Individuals must apply for the extension and it will be granted if they can show they are taking reasonable steps to complete their program or they have applied for conversion to the general certificate. The

extension would also reflect the need for reports of program completion to be sent by the faculty to the College. The extension opportunity reflects the continued impacts of the pandemic on school board staffing and the ability to complete teacher education programs. All existing requirements noted previously will continue to be applied to these current holders. There will be no opportunity to further extend the certificate beyond June 2022.

Expansion to 2022 Graduating Cohort

The Temporary Certificate for the 2022 graduating class of teacher candidates will have similar requirements to the existing Temporary Certificate:

- Open only to teacher candidates who are actively completing an accredited Ontario teacher education program by December 31, 2022 (generally, candidates in the 3rd and 4th semester). This requirement ensures that teacher candidates will have completed a portion of their foundational program coursework.
- Open only to those teacher candidates who have successfully completed a portion of their practicum. Many of these teacher candidates will already be in the school system completing practicum requirements.
- Deans of faculties of education will exercise their professional judgement in reporting only those candidates who they feel are on track to complete their teacher education program, which reflects the importance of the report to the College by the faculty.
- Temporary Certificate holders will have the continued support of advisors from the faculty of education.

- The Temporary Certificate is meant to be a short-term emergency measure and will expire on December 31, 2022. The certificate cannot be extended which reflects the short-term and emergency nature of the certificate.
- Teacher candidates who receive the Temporary Certificate are still expected to complete their teacher education programs. The Temporary Certificate can be converted to a general Certificate of Qualification and Registration if all program requirements are completed by December 31, 2022.
- The certificate will reference the holder's area of study in their program.
- The certificate will allow teacher candidates to be hired as OTs on days previously allocated as practicum days by the faculty of education to fulfill the practicum portion of a teacher education program. Each day of teaching on a temporary certificate can count as one day of practicum for the purposes of meeting the 80-day practicum requirement to complete a teacher education program in Ontario.
- The certificate will permit teacher candidates to accept longer term OT opportunities with the approval of their faculty.
- The certificate is also open to labour mobility candidates who hold a similar temporary certificate in another province or territory.
- Other certification requirements will remain in place: application documents; fees; academic requirements; sexual abuse prevention program completion; professional suitability (incl. criminal record check) and Math Proficiency Test.

Other Considerations

While on the Temporary Certificate, these teacher candidates would be considered members of the College. They would have the rights and responsibilities of members; they would be required to adhere to the Standards of Practice and Ethical Standards for the Teaching Profession. The College would have jurisdiction to address any conduct by these members in contravention of these standards.

If the extension and expansion are approved, the College will also hold a briefing session for school board and faculty of education representatives to cover the changes to the Temporary Certificate in order to ensure awareness in the sector and ease implementation.

There is a potential pool of 3000-3500 teacher candidates in the graduating class of 2022 who might be eligible for the Temporary Certificate. The flexible approach in this proposal allows for placement of these teacher candidates in school boards on an urgent basis and supports staffing stability across the province.

The limited nature of this certificate and the requirement to complete the program as accredited for conversion, also ensures that the programs will not require modification to accommodate the Temporary Certificate.

Recommendation

It is recommended that:

The Transition Supervisory Officer, acting in his capacity as Council, approve amendments to Regulation 176/10 in order to provide:

1. An extension pathway for Temporary Certificates of Qualification and Registration granted in 2021; and

2. The offering of one-year

Temporary Certificates to Ontario teacher candidates set to complete their teacher education programs in 2022, as well as eligible labour mobility applicants.

Link to Strategic Initiatives

This initiative aligns with Council Strategic Priority #1: Manage Risk More Strategically and Priority #3: Improve Stakeholder Engagement.

Next Steps

If the Transition Supervisory Officer approves the direction outlined above, College staff will work with Ministry staff to develop a sealed regulation that reflects this direction. The sealed regulation will be presented for approval and sign-off by the Transition Supervisory Officer and the Registrar.

Prepared by:
Policy and Research Unit

Date:
November 3, 2021



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Briefing Note

Building Opportunities in the Skilled Trades Act, 2021

Issue

The *Building Opportunities in the Skilled Trades Act, 2021* (BOSTA) received Royal Assent on June 3, 2021 and its proclamation into force by the Lieutenant Governor is anticipated on January 1, 2022. BOSTA “sets out provisions regarding the practice of trades in Ontario and apprenticeship training and certification and provides for the continuation of the Ontario College of Trades under the name Skilled Trades Ontario”.¹ In essence, BOSTA provides for the continuation of responsibilities of the Ontario College of Trades, including the granting of certificates.

As a result of BOSTA’s anticipated coming into force, a consequential amendment to the definition of “certificates of apprenticeship” is required in the Teachers’ Qualifications Regulation (Regulation 176/10 or the “TQR”). The definition currently references the *Ontario College of Trades and Apprenticeship Act, 2009*, which is set to be repealed. This legislative reference was to be supplemented with a reference to the *Modernizing the Skilled Trades and Apprenticeship Act* (MSTAA), but the MSTAA has itself been

superseded by BOSTA. The “certificates of apprenticeship” definition in the TQR is used to determine what technological qualifications can appear on certificates of qualification and registration.

Recommendation

It is recommended that:

The Transition Supervisory Officer, acting in his capacity as Council, approve the following amendments to Regulation 176/10:

“certificate of apprenticeship” means,

(a) a certificate provided under section 66 of the *Ontario College of Trades and Apprenticeship Act, 2009* that confirms the successful completion of an apprenticeship program, or

(b) a certificate acceptable to the College that confirms the successful completion of an apprenticeship program; (“certificat d’apprentissage”)

...

Note: On the day **section 16 of the *Building Opportunities in the Skilled***

¹ BOSTA Explanatory Note: [Building Opportunities in the Skilled Trades Act, 2021, S.O. 2021, c. 28 - Bill 288 \(ontario.ca\)](#)

~~*Trades Act, 2021* section 7 of Schedule 40 (*Modernizing the Skilled Trades and Apprenticeship Act, 2019*) to the *Protecting What Matters Most (Budget Measures) Act, 2019* comes into force, the definition of “certificate of apprenticeship” in subsection 1 (1) of the Regulation is amended by striking out “or” at the end of clause (a) and adding the following clause: (See: O. Reg. 617/20, s. 1 (2))~~

(a.1) a certificate provided under section **16 of the *Building Opportunities in the Skilled Trades Act, 2021*** ~~7 of the *Modernizing the Skilled Trades and Apprenticeship Act, 2019*~~ that confirms the successful completion of an apprenticeship program, or
...

Link to Strategic Initiatives

This initiative aligns with Council Strategic Priority #1: Manage Risk More Strategically and Priority #3: Improve Stakeholder Engagement.

Next Steps

If the Transition Supervisory Officer approves the direction outlined above, College staff will work with Ministry staff to develop a sealed regulation that reflects this direction. The sealed regulation will be presented for approval and sign-off by the Transition Supervisory Officer and the Registrar.

Prepared by:
Policy and Research Unit

Date:
November 4, 2021



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Briefing Note

Professional Designation – Inactive Non-Practising

Issue

Bill 13, or the *Supporting People and Businesses Act, 2021*, includes proposed amendments to the *Ontario College of Teachers Act* that will protect the College's "OCT" professional designation. The proposed provisions restrict use of the OCT designation to members of the College and provide for sanctions should the designation be used by non-members.

The College has requested right to title protections in order to reflect the College's longstanding practice that only College members *in good standing* may use the "OCT" designation. However, Bill 13 goes beyond the College's request and allows the "OCT" professional designation to be used by all members, whether they are in good standing or not, including those who are suspended for non-payment of fees (e.g., members who have left the profession due to retirement or other employment opportunities) and those who have been suspended for disciplinary reasons.

The proposed amendments in Bill 13 are a public interest risk as suspended members (including retired members who are Suspended-Non-payment of Fees, but are shown on the register under the courtesy tag "Retired") are not permitted to teach in the Ontario public school system. The use of the OCT designation by suspended members will

likely lead to confusion on the part of school boards, parents and private employers regarding who is in good standing with the College.

Recommendation

The College and Ministry of Education have been discussing how to close this loophole.

In letters to the Minister on October 21, 2021 and November 5, 2021, the College proposed an amendment to Bill 13 that would make members who are Inactive/Non-Practising non-members for the purposes of using the OCT designation. In other words, these inactive/suspended members would remain members of the College in all respects except the right to use the OCT title.

The Ministry is concerned that suspended members (in particular retirees) who are not aware of the new title protections may inadvertently use the OCT designation and face fines of up to \$10,000. They are also concerned about the size of this cohort of individuals, which is approximately 200,000 inactive members.

The Ministry has proposed allowing for a new "OCT-Inactive/Non-Practising" designation which can be used by all members in the new "Inactive/Non-

Practising” membership status, which is set to replace the Suspended-Non-Payment of Fees status. Members suspended for disciplinary reasons will not be permitted to use any professional designation.

There may be a risk of confusion on the part of employers and parents over the difference between the two professional designations (i.e. OCT and OCT-Inactive/Non-Practising). However, once the amendments are made, the College could engage in a concerted communication campaign to the membership, stakeholders, school boards and the public about the purpose of the new designation and how it is different from the “OCT” professional designation.

Several Ontario regulators have similar “Inactive/Non-Practising” statuses and

corresponding professional designations. For example, the College of Nurses of Ontario deems retired registered nurses to be the holders of a Non-Practising certificate of registration.

The Ontario Professional Foresters Association also has an inactive status. Those members may use the designations “Professional Forester”, “R.P.F. (Non-Practising)”, “Associate R.P.F. (Non-Practising)”.

The Professional Geoscientists of Ontario also allows its non-practising members to use P.Geo. (non-practising).

It is recommended that:

The Transition Supervisory Officer, acting in his capacity as Council, approve the following direction:

- 1. Amend the *Ontario College of Teachers Act* to create a new “OCT-Inactive/Non-Practising” professional designation that may be used by members in the Inactive/Non-Practising status.**
- 2. Prevent members who are suspended by the Discipline Committee from using the “OCT” or “OCT-Inactive/Non-Practising” professional designation for the period of the suspension.**

Link to Strategic Initiatives

This initiative aligns with Council Strategic Priority #1: Manage Risk More Strategically and Priority #3: Improve Stakeholder Engagement.

Next Steps

If the Transition Supervisory Officer approves the direction outlined above, College staff will work with Ministry staff to develop amendments to the Act that reflect this direction.

Prepared by:
Policy and Research Unit

Date:
November 12, 2021