

TEACHER ASSIGNMENT IN ONTARIO SCHOOLS

A Resource Guide

Revised Edition

MARCH 2011



reach every student

 Ontario

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Introduction

1.1 About This Resource Guide

In May 2010, Ontario Regulation (O. Reg.) 184/97 (Teachers' Qualifications), made under the Ontario College of Teachers Act, 1996, was revoked and replaced with a new regulation – O. Reg. 176/10 (Teachers' Qualifications). Substantive amendments were also made to Regulation 298 – Operation of Schools (General) under the Education Act. The Ontario College of Teachers replaced O. Reg. 184/97 to ensure that its teacher certification requirements complied with the Ontario Labour Mobility Act, 2009 (OLMA), and to update and clarify those requirements. Regulation 298 was amended to reflect Ontario's labour mobility obligations under the OLMA, and to clarify and update the requirements for teacher assignment.

The OLMA was enacted to allow Ontario to meet its commitments under the Agreement on Internal Trade (AIT), which provides that persons certified or registered in a profession or trade in one Canadian province or territory are eligible for certification or registration in the same profession or trade in any other Canadian province or territory. The AIT commitments necessitated amendments to Ontario regulations governing teacher qualifications and teacher assignment to remove barriers to teacher certification and qualification in this province that were inconsistent with the OLMA and the Agreement on Internal Trade and to ensure that all related processes would be fair, transparent, and accessible.

This resource guide provides updated information on the assignment of teachers to teaching positions in Ontario's publicly funded elementary and

secondary schools. It is a plain language guide to the current rules that school principals must follow when assigning teachers to teach subjects, teach in divisions, or hold positions in Ontario schools. A glossary of terms is provided at the end of this document to assist the reader.

This resource guide is intended to serve as a practical reference for school board staffing committees, school principals, teachers, teachers' federations, supervisory officers, and all those involved in the assignment of teachers to teaching positions. It highlights important factors to be considered when making assignment decisions, in order to provide the best possible learning experience for Ontario students.

The information in this resource guide incorporates feedback and addresses requests for clarification from teachers, teachers' federations, principals, and school boards across the province. The guide will be revised over time on the ministry website to provide further clarification in response to questions and issues that may arise locally but that have general application. The current version was revised in March 2011 to provide specific references to relevant legislation for the information of readers, and to supply additional clarification of certain requirements. The latter type of revision is indicated by a note in square brackets at the end of the revised paragraph – as shown at the end of *this* paragraph. (Readers should check the website, at www.edu.gov.on.ca, periodically to ensure that they are working from the most current version of the guide.) **[Rev. Mar. 2011]**

In making assignment decisions, principals need to be aware of any relevant determinations or recommendations of the school board staffing committee and any other relevant provisions regarding teacher assignment in governing collective agreements.

Readers should note that the Education Act and regulations made under the act take precedence in any questions of interpretation that might arise.

Rules and Requirements

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2.1 **Basic Requirements**

Principals must consider the two basic requirements stated in Regulation 298 (subsections 19(1) and 19(2)) when assigning or appointing a teacher to teach a subject, teach in a division, or hold a position – namely, that assignments must be made:

- with the aim of providing the best possible program and ensuring the safety and well-being of students;
- in accordance with the qualifications recorded on the teacher’s Certificate of Qualification and Registration.¹

These two requirements work together. A teacher’s qualifications are an indication that he or she has the knowledge and skills needed to provide the best possible program in a particular subject, division, or position and to ensure the safety and well-being of students.

However, principals may at times need to assign a teacher who does not have the required qualifications but who is nevertheless considered competent to teach a particular subject, teach in a division, or hold a certain position. Regulation 298 allows for such assignments to be made by mutual agreement (subsection 19(3)) or, in specified circumstances, under the authority of a Temporary Letter of Approval (TLA) granted by the Minister (section 19.2). These two options are outlined in the following sections. In either case, the principal must be guided by the goal of providing the best possible program and ensuring the safety and well-being of students.

¹ Some subjects in the Ontario curriculum have no matching qualifications (e.g., civics, world religions). In these cases, assignments should continue to be made with the aim of providing the best possible program.

The conceptual framework below illustrates the basic requirements governing teacher assignment in Ontario schools.



2.2 *Assignments by Mutual Agreement*

In certain circumstances, the assignment of a teacher who does not have the required qualifications is possible as long as the principal and the teacher are in agreement about the assignment and the assignment has the approval of the appropriate supervisory officer. Regulation 298 has always provided for the assignment of teachers to certain positions by mutual agreement.

[Rev. Mar. 2011]

The following assignments may be made by mutual agreement:

- A teacher who has a qualification in the primary division, the junior division, the intermediate division in a general education subject or the senior division in a general education subject may be assigned to teach in any division and in most general education subjects.
- A teacher who has a qualification in a technological education subject in Grades 9 and 10 or Grades 11 and 12 may be assigned to teach any other technological education subject in Grades 9 to 12.

The need to make an assignment by mutual agreement may arise in a variety of situations. For example, a timetabling conflict might prevent the assignment

of a teacher who has the required qualifications, while a teacher who has relevant experience and/or credentials related to the subject, but not the formal qualifications, is available. Similarly, a principal may choose not to assign a teacher who has the required qualifications because that teacher has not kept up to date with the subject and is not comfortable teaching it, whereas a teacher without the required qualifications who is better prepared to do so is available. Assignments by mutual agreement must always be made with the goal of providing the best possible program and ensuring the safety and well-being of students.

2.3 **Assignments That Require a Temporary Letter of Approval**

Some assignments of teachers who do not have the required qualifications are possible only if the board has been granted a Temporary Letter of Approval (TLA) by the Minister. The school board must submit an application for a TLA (see the following section). Requirements associated with TLAs are set out in section 19.2 of Regulation 298 and in Policy/Program Memorandum (PPM) No. 153, “Applications for Temporary Letters of Approval”.

A Temporary Letter of Approval authorizes a school board to assign a teacher to teach a subject, teach in a division, or hold a position for a period of up to one year where the teacher does not have the required qualifications. As noted in PPM No. 153, a TLA is commonly required to:

- allow a teacher who does not have a qualification in *any* division to be assigned to teach in the primary or junior division or to teach a general education subject in the intermediate or senior division;
- allow a teacher who does not have a qualification in *any* technological education subject to be assigned to teach a technological education subject;
- allow a teacher who does not have a qualification in French as a second language (FSL) to be assigned to teach FSL;
- allow a teacher who does not have French-language qualifications in a division to be assigned to teach in the primary or the junior division where French is the language of instruction;
- allow a teacher who does not have English-language qualifications in a division to be assigned to teach in the primary or the junior division where English is the language of instruction;

- allow a teacher who does not have a qualification in special education to be assigned to teach or be placed in charge of a special education program or class;
- allow a teacher who does not have a qualification in teaching students who are deaf or hard of hearing or students who are blind or who have limited vision to be assigned to teach these students;
- allow a teacher who does not have principal's qualifications to be assigned to hold a position as a principal or vice-principal.

Other assignments that require a TLA include the following:

- the assignment of a teacher who does not have the required specialist or honour specialist qualifications (where applicable) to supervise or coordinate subjects or programs or to act as a consultant for teachers (e.g., as a board-wide or system coordinator or consultant) in those subjects or programs. The specialist or honour specialist qualifications must be in one or more of the subjects or programs in question. (See Reg. 298, section 17.)
 - the assignment of a teacher who holds a Transitional Certificate of Qualification and Registration, issued under the Teachers' Qualifications regulation (O. Reg. 176/10), to teach a subject other than the subject indicated on his or her transitional certificate. (See Reg. 298, subsection 19(4)(a).)
 - the assignment of a teacher whose teacher education program has prepared him or her to teach only one subject, such as Native Languages or Dance, which is identified on his or her Certificate of Qualification and Registration as an additional qualification, to teach a subject other than the subject indicated on his or her Certificate of Qualification and Registration. (Note that, if a teacher has a qualification in a division, he or she can be assigned to teach in other divisions and general education subjects through mutual agreement.)
- [Rev. Mar. 2011]**

A number of circumstances may prevent a teacher from obtaining the qualification required for a particular position at a particular time – for example, the necessary course may not be offered in the current year or term or the teacher may be unable to travel to a location where the course is offered. As is the case for all teacher assignments, the principal is expected to use his or her best judgment when assigning a teacher without the required qualifications under the authority of a TLA, to provide for the best possible program and to ensure the safety and well-being of students. **[Rev. Mar. 2011]**

2.4 **Applying for a Temporary Letter of Approval**

PPM No. 153 provides information on the requirements for submitting an application for a TLA, a description of the application process, and the application form.

The director of education or other school board official authorized by the board must submit an application for a TLA to the manager of the appropriate regional office of the ministry. In completing the application form provided in PPM No. 153, the board confirms that the teacher has a Certificate of Qualification and Registration in good standing with the Ontario College of Teachers, and attests to the competency of the teacher for whom the application is being made. The teacher's competency would be determined on the basis of such factors as teaching experience, education credentials (including qualifications), and any other information relevant to the position. The board must confirm on the form that the teacher has agreed to the proposed assignment.

2.5 **Additional Assignment Provisions**

The assignment rules outlined below generally reflect adaptations to changes in the curriculum or in teachers' qualifications over time and/or allow teachers to "cross over" between general education and technological education. These assignments may be made as a matter of course and, unless otherwise stated below, do not require a TLA or mutual agreement.

Technological Education

- A teacher who has technological education qualifications and a qualification in a general education subject may be assigned to teach the general education subject if he or she also has a qualification in a division. (See Reg. 298, subsection 19(5).) (A TLA is required if the teacher does not have a qualification in a division.)

For example

A teacher who has a qualification in Grade 11 and 12 Communications Technology and an AQ in Visual Arts, Part 1, may be assigned to teach Visual Arts only if he or she also has a qualification in the primary, junior, intermediate, or senior division.

- A teacher with or without a postsecondary degree who has qualifications in a division in a general education subject or has technological education qualifications may be assigned to teach cooperative education in a secondary school. However, in a general education subject, the *related curriculum course* must be taught by a teacher who has a qualification in a general education subject, and in technological education, the related course must be taught by a teacher with technological education qualifications. (See Reg. 298, subsection 19(7).) (A TLA is required if a teacher without these qualifications is to be assigned to teach the related course.)

For example

A teacher who has qualifications in Intermediate/Senior – History or a qualification in Grade 11 and 12 Manufacturing Technology may be assigned to teach the placement component of a cooperative education course in a general or technological education subject.

- A teacher with or without a postsecondary degree who has technological education qualifications and a qualification in guidance and career education may be assigned to teach guidance and career education. (See Reg. 298, subsection 19(8).)

For example

A teacher who has a qualification in Grade 9 and 10 Hairstyling and Aesthetics and a qualification in guidance and career education may be assigned to teach guidance and career education.

- A teacher who has a qualification in the general education subjects of Computer Studies or Business Studies – Data Processing on August 31, 2010, may be assigned to teach Computer Technology in technological education. (See Reg. 298, subsection 19.1(2).) A teacher who obtains such qualifications after that date may be assigned to teach Computer Technology only with a TLA.

For example

A teacher who, on May 25, 2009, successfully completed a qualification in Computer Studies may be assigned to teach Computer Technology. However, a teacher who successfully completed a qualification in Computer Studies on October 15, 2010, may not be assigned to teach Computer Technology unless a TLA is granted.

In all other cases, a teacher must have a qualification in Computer Technology to teach the subject, or may be assigned to teach it by mutual agreement if he or she has a qualification in any other technological education subject.

- A teacher who taught a ministry-approved locally developed secondary school course related to Green Industries for two or more years prior to September 1, 2010, may be assigned to teach the technological education subject Green Industries. (See Reg. 298, subsection 19.1(3).)

For example

A teacher who taught a ministry-approved locally developed Landscape Architecture course in 2003 and 2007 may be assigned to teach Green Industries in technological education.

In all other cases, a teacher must have a qualification in Green Industries to teach the subject, or can be assigned to teach it by mutual agreement if he or she has a qualification in any other technological education subject. As of September 1, 2010, teachers who do not have a qualification in Green Industries but who continue to teach locally developed secondary school courses related to Green Industries may not use that experience to meet the requirement and may not be assigned to teach Green Industries in technological education without a TLA.

Special Education

- A teacher who has qualifications in a division as well as a qualification in special education may be placed in charge of a special education program or be assigned to teach a special education class in the primary, junior, or intermediate division in general education, or the senior division in general education. (See Reg. 298, subclause 19(6)(a)(i).)

For example

A teacher who has primary/junior qualifications and an AQ in Special Education may be assigned to teach in a special education class for elementary school students.

- A teacher who has technological education qualifications as well as a qualification in special education may be placed in charge of a special education program or be assigned to teach a special education class in technological education. (See Reg. 298, subclause 19(6)(b)(i).)

For example

A teacher who has a qualification in Grade 11 and 12 Construction Technology and an AQ in Special Education may be assigned to teach Custom Woodworking in a special education class.

- A teacher with or without a postsecondary degree who has qualifications in a division or qualifications in technological education as well as a special education qualification may be assigned to teach alternative special education subjects (K courses) that are situated outside the Ontario curriculum. (See Reg. 298, subclauses 19(6)(a)(ii) and 19(6)(b)(ii).)

For example

A teacher who has a qualification in Grade 9 and 10 Health Care and an AQ in Special Education, or a teacher who has a qualification in Intermediate/Senior – English and an AQ in Special Education, may be assigned to teach “Exploring Our Environment” in a special education class.

2.6 Curriculum Review and Teacher Assignment

The Ministry of Education has established a schedule for the ongoing review of all K–12 curricula. Each year, the curriculum in each of a number of subject areas is reviewed to ensure that it is kept current, relevant, and age-appropriate.

When the curriculum in a subject in either general education or technological education is revised, a teacher may be assigned or appointed to teach the subject described in the revised edition of the official ministry curriculum document if he or she has an equivalent qualification. (See Reg. 298, subsection 19.1(6).) As in the case of any teacher assignment, the principal has the authority to make the final decision about assignments under this rule. **[Rev. Mar. 2011]**

For example

A teacher with a “Home Economics” qualification may be assigned to teach “Family Studies”.

In technological education, a teacher who earned qualifications in technological studies prior to the introduction of the broad-based technological education curriculum in 1995 may be assigned to teach the broad-based subject that relates to the pre-1995 qualification.

For example

A teacher with a technological studies qualification in “Carpentry” may be assigned to teach “Construction Technology” in technological education.

A teacher who has a qualification in “Design and Technology” may be assigned to teach “Technological Design” in technological education. **[Rev. Mar. 2011]**

Some Additional Principles to Guide Teacher Assignment

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School board staffing committees, school principals, teachers' federations, supervisory officers, and all those engaged in making teacher assignment decisions are encouraged to follow the additional principles for successful teacher assignment outlined in this section. These principles are based primarily on information gathered from school board human resources staff, principals, and representatives of teachers' federations as part of a 2010 ministry-funded study of teacher hiring and assignment practices in Ontario. In the study, school board staff were asked to provide advice on how best to make teacher assignment decisions. Some of their comments have been included below.

Ensure that assignment practices are open, flexible, and collaborative

Open, flexible, and collaborative practices are considered to be most effective in making assignment decisions that address student needs and provide teachers with a balanced and satisfying workload. Examples of such practices between a principal and teaching staff might include:

- asking teachers, on an annual basis, to state their teaching preferences for the following school year and to confirm their qualifications and teaching experience;
- asking department heads to participate in teacher assignment decisions;
- taking into consideration teachers' prior assignments, to ensure that all teaching staff have opportunities for professional growth or, as appropriate, to teach subjects or teach in divisions that are of interest to them;
- taking into consideration teachers' desire for future professional growth and how assignments may help them achieve their objectives in this regard.

I like to look at the whole timetable, knowing that we've kept all of our staff and their qualifications in mind. When I see it all, then I switch a few courses around and I start assigning teachers to the courses. Prior to the timetabling process, I've asked staff for their input on what they would like to teach. And so then we build it – then I assign staff to courses, ask program leaders for their input, and ... during the whole process, I've tried to respect the wishes of the teachers.

– Secondary school principal

We have been conducting joint board/union in-service regarding the staffing process for a number of years. This model works extremely well, because everyone hears the same message at the same time, avoiding a lot of misunderstandings or misconceptions at the school level.

– Secondary school teacher

Give special consideration to new teacher assignments

Making appropriate assignment decisions for new teachers is especially important. New teachers should be given the best chance of having a positive and successful teaching experience in their first assignment.

When I assign teachers, I don't necessarily think, "This teacher has fifteen years of teaching experience, so she will get all the theoretical courses, and this other teacher just started teaching so he will only get applied courses." That's not how it works. The new teacher may have the right background to teach theoretical courses, and may be the best person for the assignment.

– Secondary school principal

Provide developmental opportunities and consider professional learning

Teaching is recognized as one of the most effective forms of professional development. Teachers are continually updating their qualifications and engaging in professional learning to improve their practice. Their efforts should be considered when assignment decisions are being made.

I send out a survey to teachers, asking if they are looking for a change, what their expertise is, and so on. And I look at their qualifications. I go on the Ontario College of Teachers site and check their card. And then I ... have a conversation with them and present different scenarios, and ask how they would feel about them. If I'm anticipating a grade change, I would approach them for their views on the change. It is important that teachers have a position they're happy in – it does have an impact. Having that conversation with teachers is very important.

– Elementary school principal

In a teacher's career, depending on their professional pathway – of an experienced teacher, in particular – the teacher may have developed different professional goals. I can think of many examples. One example is a teacher who approached me to say he had fifteen years' experience and was tiring of the assignment. He said that he had always had an interest in math, that he was very good in the subject. I offered to assign him to two math courses on condition that he complete some professional development in that area (an additional qualification course or some related workshops). People are normally receptive to this approach.

– Secondary school principal

Principals new to the teacher assignment role should seek out advice from mentors and peers

Mentorship and networking are two key means of learning about effective teacher assignment practices. Principals or vice-principals who are new to the role and who are working with a mentor for their first two years of practice may wish to identify effective teacher assignment as a goal in their mentoring learning plan. By doing so, they will create an opportunity to discuss with their mentor both the technical and adaptive challenges of the assignment task.

Individuals responsible for making teacher assignment decisions can develop a network of peers to exchange ideas about how best to address any challenges that might arise as they prepare to make their assignments.

You must take the time to think about what you write, what you say, who you will get to ensure that your team keeps the quality you are looking for to support your students. So for me, the idea of a mentor at the administrator level or at the same position – that’s what’s key to the success of a new administration.

– Elementary school principal

This year we have a new administrator. She really made me feel valued by asking what I wanted to teach next year. I appreciated how she met with the school staffing committee – everyone knew what was being done and why! Everyone seems comfortable with their assignments for next year and is thinking ahead to program for their kids.

– Elementary school teacher



Resources

Regulation 298: Operation of Schools – General

Available on the e-laws website, at www.e-laws.gov.on.ca (see “Education Act” and select the regulations under the act).

Ontario Regulation 176/10 – The Teachers’ Qualifications Regulation

Available on the e-laws website, at www.e-laws.gov.on.ca (see “Ontario College of Teachers Act, 1996” and select the regulations under the act).

Temporary Letters of Approval

Regulation 298 sets out the criteria governing the granting of a Temporary Letter of Approval, as well as the application requirements and process.

Policy/Program Memorandum No. 153, available on the Ministry of Education website, provides boards with information on requirements for submitting an application for a Temporary Letter of Approval, a description of the application process, and the application form.

Letters of Permission

Ontario Regulation 142/08 under the Education Act, available on the e-laws website, sets out the criteria governing the granting of a Letter of Permission, as well as the application requirements and process.

Policy/Program Memorandum No. 147, available on the Ministry of Education website, provides boards with information on requirements for submitting an application for a Letter of Permission, a description of the application process, and the application form.

Ontario’s Leadership Framework

The Leadership Framework, available on the Ministry of Education website, is central to the Ontario Leadership Strategy. The framework describes a set of core leadership competencies and effective practices for principals, vice-principals, and supervisory officers.



Glossary

Agreement on Internal Trade (AIT). A national agreement between the federal government and Canadian provinces and territories intended to make it easier for people, investments, goods, and services to move across Canada. In 2009, Canada and the provinces and territories endorsed amendments to Chapter 7 (Labour Mobility) that require “certificate for certificate” mobility for any worker. The Ontario Labour Mobility Act, 2009 (OLMA), implements Ontario’s obligations under the AIT.

emergency provision. A provision under Regulation 298 that allows a school board to appoint a person for up to ten days from the date of appointment if no certified teacher is available for a teaching position. Because such assignments are of short duration, they do not require school boards to request a Letter of Permission from the Minister.

general education. The subjects in the curriculum for the intermediate and senior divisions, as described in the Ontario secondary school curriculum documents (available on the Ministry of Education website), excluding the subjects described in the technological education curriculum.

General Certificate of Qualification and Registration. The certificate issued by the Ontario College of Teachers under O. Reg. 176/10 (Teachers’ Qualifications) to individuals who have met the College’s requirements for certification.

Letter of Permission (LOP). Permission granted by the Minister of Education under O. Reg. 142/08 (Letters of Permission), made under the Education Act, that enables a school board to employ an individual who is not a certified teacher to teach for up to one year in an elementary or a secondary school, if there is no certified teacher available.

Ontario Regulation 176/10. The new Teachers' Qualifications regulation (formerly O. Reg. 184/97), made under the Ontario College of Teachers Act, 1996. The regulation sets out the qualification requirements that individuals must meet to be certified by the Ontario College of Teachers. O. Reg. 184/97 was revoked and replaced by this new regulation, which reflects the College's obligations under the Ontario Labour Mobility Act, 2009, and updates and clarifies the College's teacher certification requirements. O. Reg. 176/10 also reflects a number of changes made to teaching certificates issued by the College.

qualifications in a division. Qualifications in the primary division (JK to Grade 3), the junior division (Grades 4 to 6), and/or the intermediate division (Grades 7 to 10) in a general education subject, or the senior division (Grades 11 and 12) in a general education subject. Generally, to have qualifications in a division, a person must have a postsecondary degree and complete at least one year of pre-service teacher education at a faculty of education.

Regulation 298: Operation of Schools – General. The regulation under the Education Act that sets out the requirements for the operation of schools, including the duties of and required qualifications for principals, vice-principals, subject and program supervisors and coordinators, and teachers. In May 2010, Regulation 298 was amended to reflect Ontario's labour mobility obligations under the Agreement on Internal Trade and the Ontario Labour Mobility Act, 2009; to reflect the provisions of the new Teachers' Qualifications regulation under the Ontario College of Teachers Act, 1996 (O. Reg. 176/10); and to clarify the basic rules and requirements for teacher assignment.

Schedules A, B, C, D, E, and F. Schedules included in the Teachers' Qualifications regulation under the Ontario College of Teachers Act, 1996 (O. Reg. 176/10) that identify the additional qualifications teachers need to become qualified in a subject or in a division or to upgrade their skills and enhance their practice. These qualifications play a role in how teachers may be assigned to positions in Ontario schools.

Teachers' Qualifications regulation. See Ontario Regulation 176/10.

technological education. The curriculum outlined in the secondary curriculum documents entitled *The Ontario Curriculum, Grades 9 and 10: Technological Education, 2009* and *The Ontario Curriculum, Grades 11 and 12: Technological Education, 2009*.

technological education qualifications. Qualifications in Grades 9 and 10 in a technological education subject, or in Grades 11 and 12 in a technological education subject. Some teachers may have technological education qualifications in both Grades 9 and 10 and Grades 11 and 12. To be certified by the Ontario College of Teachers with technological education qualifications, a person must have five years of work experience or a combination of five years of postsecondary education and

work experience in the field of technological education. A postsecondary degree is not required.

Temporary Letter of Approval (TLA). Authority granted by the Minister of Education that allows a school board to assign a teacher to teach a subject, teach in a division, or hold a position for a specified period of time to a maximum of one year if the teacher does not have the required qualifications.

Transitional Certificate of Qualification and Registration. The teaching certificate issued by the Ontario College of Teachers to applicants who have completed the first session of a multi-session teacher education program. Under Regulation 298, holders of transitional certificates may be assigned to teach only the subject(s) that are listed on their certificate while they are completing a teacher education program.

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