



ETFO Submission to the Ministry of Education

Review of Policy/Program Memorandum No. 81, *Provision of Health Support Services in School Settings* (PPM 81)

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ETFO represents 83,000 elementary public school teachers, occasional teachers, designated early childhood educators, education support personnel and professional support personnel across the province. Its Building Better Schools education agenda can be viewed at **BuildingBetterSchools.ca**.

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INTRODUCTION

The Elementary Teachers' Federation of Ontario (ETFO) welcomes the opportunity to provide feedback to the Ministry of Education during its review of Policy/Program Memorandum No. 81, *Provision of Health Support Services in School Settings* (PPM 81). ETFO represents 83,000 public elementary school teachers, occasional teachers, designated early childhood educators (DECEs), education support personnel (ESP) and professional support personnel (PSP) across the province.

The public education system and everyone connected to it has experienced unprecedented stress these past two years. Despite this, the government continues to propose significant changes without adequate consultation or consideration of the policy implications.

PPM 81 has been in place since 1984 and serves a critical equity purpose: to facilitate access to education for school-aged children with health support needs. Equity should be at the heart of any review of this policy, yet the proposed updates to PPM 81 will only deepen inequities in the public education system. Rather than ensuring that students have equitable access to the services they need to thrive at school, this proposed PPM reinforces systemic barriers.

Under the pretext of updating PPM 81, the government is proposing to download additional responsibilities to school boards and educators, while at the same time undermining access to crucial in-school supports for students with special education needs.

ETFO is deeply concerned with the impact that some of the changes proposed will have on an already stressed and underfunded public education system. ETFO is also concerned that the Ministry has put forward this plan without the necessary forethought on the implications for school boards and school authorities.

Meaningful Consultation

ETFO acknowledges recent steps taken by the Ministry to improve its consultation processes. In response to stakeholder feedback, the Ministry shared information with the Ministry Initiatives Committee ahead of its February 10, 2022 meeting. Though it was helpful to receive the material in advance, it was disappointing to find out that some stakeholders had already been consulted ahead of time and given the opportunity to participate in roundtable discussions with the Ministry. The Ministry appears to be in a rush to make changes to PPM 81. In doing so, the Ministry risks missing an important opportunity to fully consider the feedback from educators and the organizations that represent them before implementing changes that would dramatically impact student and staff safety and wellbeing. If the Ministry is serious about engaging in meaningful consultation, it is crucial that union stakeholders be given equivalent treatment to those representing administrators, supervisors, school boards, and parents and guardians.

Moreover, a policy change of the magnitude and scope of what is being proposed requires significant and in-depth consultation with all stakeholders. Notably absent from the government’s materials regarding this Review of PPM No. 81 is any reference to the Student Health Support Services (SHSS) Review, which was led by a collaborative team of the Ministry of Health and Long Term Care, the Ministry of Education, and the Ministry of Children and Youth Services (as it then was) in 2009-2010. This Tri-Ministry Review Team was supported by Deloitte and culminated in a Final Report issued in July 2010 with 15 recommendations for improvements to SHSS with a focus on the areas of access and equity, coordination, and quality of services.¹ The proposed updates to PPM 81 ignore many of the relevant findings and recommendations from the July 2010 Final Report, including the need to address the barriers to services experienced by students and

¹ Deloitte (2010). *Review of School Health Support Services – Final Report*.
health.gov.on.ca/en/common/system/services/lhin/docs/deloitte_shss_review_report.pdf

families who are Francophone, who speak English as a second language, who are Indigenous, who have chronic episodic disabilities, and those living in rural, remote, or northern communities.

Recommendations:

1. That the Ministry of Education pause the proposed revisions to PPM 81 and engage in a meaningful consultation process with stakeholders in the education sector that respects the role of education unions and their members.
2. That the Ministry address the recommendations made by the *Review of School Health Support Services* in its 2010 Final Report and in any other relevant reports and literature.

Impact on School Board Funding

There exists a glaring gap in the documentation shared by the Ministry with stakeholders about the government's planned changes to the delivery of health services in school settings. The government has not provided any information on the impact of the Ministry's proposals on funding levels for school boards. When directly asked about the funding implications of the proposed changes, Ministry representatives simply stated that they were unable to comment on the subject.

ETFO is deeply concerned that the changes the government is proposing will result in a redirection of crucial funding from school boards to third-party agencies, including publicly-funded agencies, community-based agencies and/or private for-profit providers while, at the same time, downloading significant responsibilities for the delivery and administration of these services to school boards. Any redirection of funding away from school boards would have a direct impact on elementary students, particularly those with special needs. When facing fiscal pressures, school boards have often reduced funding to programs aimed at students in the elementary panel and redirected those funds to address budget shortfalls in the system at large. Further funding cuts to school boards will hurt students, particularly those most vulnerable.

Recommendation:

3. That the Ministry of Education provide information to stakeholders regarding the potential impact to school board funding resulting from the proposed changes to PPM 81.

Respect for Local Collective Agreements

In the draft text of PPM 81, the Ministry acknowledges that applicable laws and collective agreement provisions prevail when in conflict with direction provided by the PPM. However, this statement is included in a brief passage close to the end of the PPM and ignores the fact that many collective agreements in the education sector include limits on the health support/medical procedures that education staff may perform or may delineate the scope of health support/medical procedures performed by certain classifications of workers. Expanding the scope of health support/medical procedures—including downloading functions that have only ever previously been performed by nurses—to other groups of workers opens a host of concerns for ETFO. ETFO will continue to enforce its members' collective agreement rights in this regard.

Recommendation:

4. That PPM 81 be revised to clearly state that collective agreement provisions supersede any conflicting direction provided by the PPM, and that this principle be central to its application.

Downloading Responsibilities to School Boards

The draft PPM provided by the Ministry contains significant changes both in the delivery of health services as well as in the *responsibility* for the delivery of health services. Regarding the delivery of some health services, the changes signify a downloading of responsibilities onto school boards that were previously held by either the Ministry of Health (MOH) or the Ministry of Children, Community and Social Services (MCCSS). This downloading of responsibilities is accompanied by a downloading of tasks previously performed by health professionals whose positions were funded by the MOH or the MCCSS onto school staff employed

and funded by school boards. Based on the information provided thus far by the Ministry, this downloading of responsibilities would happen without any corresponding funding to hire additional staff to manage the increase in workload and the change in the type of services being delivered by school boards.

The draft PPM is also unclear on its use of the term “school personnel.” There is no specificity regarding which employee group(s) would potentially be impacted by these significant changes. ETFO is deeply concerned that the changes signalled in the draft PPM would most dramatically impact its Educational Support Personnel (ESP) bargaining units. Public schools cannot shoulder the responsibility for nursing and other healthcare personnel shortages. School boards are already experiencing staffing shortages, including in ESP positions. Requiring ESP members to do the work of nurses or other healthcare professionals, including work that may be considered a controlled act under relevant regulated health professional legislation, raises many concerns including supervision, training, safety and liability. We anticipate that the “consultative approach” described by the Ministry means that some procedures would be modelled by a therapist, and “school board personnel” would then assist or support the therapy. Some health services, such as physiotherapy, involve physically demanding tasks that require specialized training in order to be performed safely.

This is not an appropriate use of specialist education staff and would take educators away from attending to the social and emotional needs of students. ETFO’s ESP members provide critical educational supports to students in the classroom; asking them to take on healthcare roles will take them away from these core duties. In an increasingly fragile system, where teachers and education workers continue to navigate additional pressures brought on by the pandemic, we cannot risk adding more to educators’ workloads. The coming months and years will be a time when students’ needs are at an all-time high, i.e., they will need more support, not less.

In addition to ensuring that students have access to the support they need, the Ministry must also consider the mental health and well-being of staff. ETFO members have spent three school years on the front lines of this pandemic. Additional workload can be a psychosocial hazard and must be a consideration in the overall viability of the publicly-funded education system.

The draft PPM also contemplates the possibility of remote service delivery for students while in the classroom. Not only would a virtual approach to providing health services to students in the classroom be inconsistent with the spirit of collaboration, but it would also raise important privacy concerns for educators and other students, and may violate collective agreement rights regarding working without being surveilled. School boards would have to ensure that school staff are not captured on camera by external agency staff supporting students in the classroom. Further, it cannot be the role of agency staff to evaluate, or otherwise comment on, ETFO members' pedagogy or teaching practices.

With the model being proposed in the draft PPM, educators could find themselves dealing with multiple external providers providing the same type of support for various students. This model is not only inequitable, but also an inefficient use of resources. It would create additional pressures on educators and administrators which would, in turn, result in additional fiscal pressures on school boards.

Access to schools and worksites by non-employees presents a number health and safety as well as privacy concerns for students and educators. Boards that utilize the services of third-party organizations will need to consider how they can assure parents that student data would be kept private and secure. Safety concerns for remote support and cyber security protocols would also need to be addressed.

Workspace shortages also present a concern. After a generation of school closures and reconfigurations, many schools have very limited space available for assessments and procedures to be completed with

students in a safe and private manner. Though coordinating space can be a challenge, so too can be coordinating time and availability. In addition, ensuring the availability of educators and students at the same time as a third-party provider can create a host of timetabling issues.

Collaboration is a key requirement when addressing the needs of our most vulnerable learners, and this collaboration must happen during the instructional day. For ETFO members, this requires release time from their duties so as not to interfere with members' ability to fulfil their normal responsibilities. Educators cannot be expected to complete this critical work beyond the instructional day.

Timetabling challenges are much more efficiently managed when the coordination only includes school board staff. It is a common practice that school-based staff would optimize assessment and observation of multiple students in the classroom setting when appropriate, therefore minimizing the disruption to classroom instruction. Similarly, when collaboration with educators is required, school-based staff can make optimal use of time to discuss multiple files in a single meeting, thereby reducing the amount of release coverage needed.

For ETFO, the proposed changes in the draft PPM raise a number of funding and equity issues. Boards already have very limited funding to distribute across a number of support service areas. Will families be expected to pay for these additional services to be provided at school? How will disparities in access be rectified? The request for proposals (RFP) process is cumbersome, lengthy and expensive to undertake. It also paves the way to privatization as third-party, private companies are retained to work in public schools, rather than hiring specialized staff. ETFO is very concerned with the downloading of these processes to school boards. We do not believe that doing so will address the waiting list and back log of professional services required by students with special needs, and will further exacerbate the strain put on school boards and school staff.

Recommendations:

5. That the administration and delivery of additional health support services not be downloaded to existing school board staff.
6. That the use of external service providers in schools be limited.

Speech and Language Pathology and Occupational Therapy

The draft PPM does not accurately reflect the level of supports currently provided by school board staff, in particular around speech and language pathology. While minimizing the level of support currently provided by school board staff in this area might be a convenient way to justify the displacement of responsibility—and potentially funding—to outside agencies, it risks doing irreparable damage to students' access to these critical services.

Wait times for speech and language pathology services are a significant challenge for community-based agencies outside of school settings. While the coordination of services at the local level is an important goal, reducing service levels or redirecting funding away from school boards would not result in a more efficient system. Rather, it would deprive students of access to timely supports and would increase the existing inequity of access. ETFO has repeatedly called on the government to increase the number of speech and language pathologists in school boards across the province, it is time for the government to heed those calls.

Recommendation:

7. That additional funding be allocated to school boards to increase the number of speech and language pathologists in public schools.

Additional Supports for Students with Special Needs

In its most recent pre-budget submission to the Legislature’s Standing Committee on Finance and Economic Affairs, ETFO addressed the inadequate supports currently available to students with special education needs and, in particular, for Black, Indigenous and racialized students, students from a disadvantaged socio-economic background, and those who are English Language Learners.²

These students need access to more educational assistants, behavioural counsellors, child and youth workers, psychologists, and speech and language pathologists to help them learn and thrive.

Meeting students’ special education needs is a constant challenge for any government. A substantial portion of existing special education funding is currently based on a predictive statistical model tied to overall enrolment numbers. Special education funding has not kept up with either inflationary costs or students’ increasing need for special education supports. The government must increase special education funding to address this funding gap, and ensure that special education grants are based on the actual educational needs of students.

Recommendations:

8. That special education grants be based on actual student needs.
9. That funding be increased to school boards for educational assistants, psychologists, behavioural therapists, child and youth workers, school support counsellors, speech and language pathologists, and other professionals to support equitable and cohesive delivery of services to students.

² ETFO (2022). *ETFO Submission to the Standing Committee on Finance and Economic Affairs: 2022 Pre-Budget Hearings*. etfo.ca/getmedia/64546155-1108-4386-aebc-cc4f2652288d/20220208-PreBudgetSubmission.pdf

CONCLUSION

ETFO recognizes the toll that the pandemic has had on the healthcare sector, but it must remind the Ministry of the incredible strain that the last three school years has placed on the education sector, as well. As drafted, the revisions proposed to PPM 81, at best, do little to clarify roles and responsibilities between education and healthcare. At worst, these revisions represent a further downloading of responsibilities to already cash-strapped and over-stretched public schools and public school boards. The draft revisions to PPM 81, as written, will deepen inequities in our education and health care system.

ETFO notes that the draft PPM does not include a clear process for implementation. Although it claims to have the objective of reducing delays and wait times for services, it provides no details on how that objective would be accomplished. ETFO believes that the proposed changes by the Ministry would not assist schools in providing necessary services and supports to students. Instead, the government should allocate the funding needed for school boards to hire the additional qualified staff.

ETFO calls on the Ministry to reflect on the true purpose of the public education system and the expertise that educators bring to it. Implementing the current draft of PPM 81 would create a new crisis in the public education system and further marginalize our most vulnerable and medically fragile students.

The Ministry should take a pause and engage in a meaningful consultation process with stakeholders in the education sector, while respecting the role of education unions and their members.

RECOMMENDATIONS

1. That the Ministry of Education pause the proposed revisions to PPM 81 and engage in a meaningful consultation process with stakeholders in the education sector that respects the role of education unions and their members.
2. That the Ministry address the recommendations made by the *Review of School Health Support Services* in its 2010 Final Report and in any other relevant reports and literature.
3. That the Ministry of Education provide information to stakeholders regarding the potential impact to school board funding resulting from the proposed changes to PPM 81.
4. That PPM 81 be revised to clearly state that collective agreement provisions supersede any conflicting direction provided by the PPM, and that this principle be central to its application.
5. That the administration and delivery of additional health support services not be downloaded to existing school board staff.
6. That the use of external service providers in schools be limited.
7. That additional funding be allocated to school boards to increase the number of speech and language pathologists in public schools.
8. That special education grants be based on actual student needs.
9. That funding be increased to school boards for educational assistants, psychologists, behavioural therapists, child and youth workers, school support counsellors, speech and language pathologists, and other professionals to support equitable and cohesive delivery of services to students.



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