ONTARIO REGULATION
made under the
EDUCATION ACT
PROVINCIAL INTEREST IN EDUCATION

Duty to cooperate
1. If the Minister provides for a review of the performance of a board under section 2, the board shall cooperate fully with the review and take all necessary steps to facilitate the review.

Performance review
2. (1) If the Minister has concerns regarding the performance of a board with respect to a matter described in paragraph 1, 2, 3, 4 or 5 of subsection (2), the Minister may provide for a review of the performance of the board with respect to that matter.

(2) The following are the matters referred to in subsection (1):

1. The academic achievement of pupils of the board or classes of pupils of the board as measured by their academic outcomes including, but not limited to,

   i. results on tests administered to pupils of the board by the Education Quality Accountability Office,

   ii. the average number of secondary school credits accumulated by pupils of the board in one or more years,

   iii. the average grades or marks received by pupils of the board on their provincial report cards.

2. The health and safety of pupils of the board or classes of pupils of the board. Examples of indicators of pupil health and safety include attendance records.
3. The level of cooperation among the board’s members and between the board and the board’s director of education in providing good governance to schools of the board including, but not limited to,
   
   i. the mutual support among the board’s members,
   
   ii. the support between the board and the board’s director of education, and
   
   iii. the respect shown by the board and the board’s director of education for their respective areas of responsibility under the Act.

4. The performance of the board or the board’s director of education in carrying out their respective duties under clauses 169.1 (1) (h) and 283.1 (1) (f) and (g) of the Act.

5. The level of involvement by parents of pupils of the board, including, but not limited to,
   
   i. participation by parents in school councils, and
   
   ii. participation by parents in parent involvement committees.

(3) The Minister may provide procedural directions with respect to the review, including directions with respect to timelines.

**Review by individual or committee**

3. (1) A review under section 2 shall be conducted by,

   (a) an individual appointed by the Minister;

   (b) a committee appointed by the Minister; or

   (c) a committee composed of,

   (i) one or more officials of the board appointed to the committee by the board, and

   (ii) one or more persons that are not officials of the board appointed to the committee by the Minister.

(2) For the purposes of clause (1) (c), the Minister shall determine the number of officials of the board to be appointed to the committee under subclause (1) (c) (i) and the number of persons that are not officials of the board to be appointed to the committee under subclause (1) (c) (ii).
Draft report

4. (1) After a review is completed, the individual or committee that conducted the review shall prepare a draft report that,

(a) describes the board’s performance with respect to the matter reviewed; and

(b) if the individual or committee that conducted the review considers it appropriate to do so, recommends measures to improve the board’s performance with respect to the matter reviewed.

(2) A measure recommended under clause (1) (b) may apply to one or more schools of the board.

(3) Measures that may be recommended under clause (1) (b) include, but are not limited to, the following:

1. Providing professional development opportunities to board members, the board’s director of education, supervisory officers, principals, superintendents and other officials of the board.

2. Adopting administrative practices and procedures, including practices and procedures that have been used successfully by other boards.

3. Retaining consultants.

4. Implementing programs or applying resources, including new or existing programs or resources.

Board comments

5. (1) The individual or committee that conducted the review shall give the board a copy of the draft report and provide the board with a reasonable opportunity to comment on it.

(2) The individual or committee shall consider any comments provided by the board and take them into account when preparing a final report under section 6.

Final report

6. (1) The individual or committee that conducted the review shall prepare a final report and shall submit it to the Minister.

(2) The individual or committee shall prepare an outline of any comments provided by the board under section 5 that were not incorporated into the final report and submit the outline to the Minister.
(3) The individual or committee shall also give a copy of the final report and outline to the board.

**Minister’s recommendations**

7. (1) After considering the final report and outline submitted under section 6, the Minister shall provide the board with comments.

   (2) Comments provided under subsection (1) may include recommendations regarding measures to improve the board’s performance with respect to the matter reviewed.

   (3) Subsections 4 (2) and (3) apply with necessary modifications to the Minister’s recommendations under subsection (2).

**Consideration by the board**

8. (1) The board shall give full and fair consideration to the final report and to the Minister’s comments under section 7 and shall take the report and the comments into account when carrying out its duties under the Act.

   (2) Without limiting the generality of subsection (1), the board shall take the final report and the Minister’s comments into account when carrying out its duties with respect to its multi-year plan.

**Board reports**

9. The board shall submit one or more reports to the Minister at such times as may be specified by the Minister regarding,

   (a) how the board complied with, or intends to comply with, its duties under this Regulation;

   (b) any steps that it has taken or proposes to take to implement recommendations made in the final report or by the Minister;

   (c) the basis of the board’s decisions with respect to implementation of recommendations made in the final report or by the Minister; and

   (d) any improvements that it has observed, or anticipates, with respect to the matter reviewed.

**Commencement**

10. This Regulation comes into force on the day it is filed.