

**Ministry of Education**

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**Ministère de l'Éducation**

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Queen's Park  
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MEMORANDUM TO: Directors of Education

FROM: Denise Dwyer  
Assistant Deputy Minister  
Indigenous Education and Well-Being Division

Denys Giguère  
Assistant Deputy Minister  
French Language Teaching, Learning and Achievement  
Division

DATE: Tuesday, May 8th, 2018

SUBJECT: Update - Children and Youth in Care

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### **Children and Youth in Care Symposium**

Over the past three years we have invited representatives from the education and the child welfare sectors to attend an annual symposium in May to support collaborative work on improving the educational outcomes for children and youth in care (CYIC).

This memo is to inform you that we are planning to hold the 2018 symposium in fall 2018. In the interim, we would like to provide updates on a number of items related to children and youth in care.

#### **Child Welfare**

We all share a responsibility to protect children from harm. We are reminded of this responsibility as part of the 2016 jury recommendations from the inquest into the tragic death of Katelynn Sampson which can be found online as follows  
[https://www.mcscs.jus.gov.on.ca/sites/default/files/content/mcscs/docs/Sampson\\_2016.pdf](https://www.mcscs.jus.gov.on.ca/sites/default/files/content/mcscs/docs/Sampson_2016.pdf).

Anyone who has reasonable grounds to suspect that a child is or may be in need of protection must promptly report the suspicion and the information upon which it is based to a children's aid society (society). A "child in need of protection" includes a child who is, or may be, suffering from physical, sexual and emotional abuse, neglect, and risk of harm.

It is not necessary for you to be certain a child is or may be in need of protection to make a report to a society. "Reasonable grounds" refers to the information that an average person, using unbiased and honest judgment, would need in order to decide to report.

The duty to report applies to any child who is, or appears to be, under the age of 16 years. On January 1, 2018, Ontario raised the age of protection from 16 to 18. A professional, or member of the public who is concerned that a 16 or 17 year-old is, or may be in need of protection may, but is not required to, make a report to a society and the society is required to assess the reported information.

As you are aware, the Ministry currently has a Policy/Program memorandum in place which summarizes the responsibilities of boards with respect to the duty to report suspected abuses or neglect of children under the *Child and Family Services Act* (CFSA) (see: PPM 9: Reporting of Children in Need of Protection <http://www.edu.gov.on.ca/extra/eng/ppm/9.html>).

We would like to remind you of the ministry's expectation that you work with your local society to develop and implement annual training for board staff concerning their duty to report under the CFSA. In addition, boards are asked to conduct a regular review of policies and procedures pertaining to the duty to report under the CFSA and any other obligations to report.

In addition to PPM 9, there are a number of resources available about protecting children at risk, including the Ontario College of Teachers' Professional Advisory on the duty to report <https://www.oct.ca/resources/advisories/duty-to-report> and "Yes, You Can – Dispelling the Myths About Sharing Information with Children's Aid Societies" <https://www.ipc.on.ca/wp-content/uploads/Resources/7798OPACYMyths-Booklayout-Web.pdf> created by the Ontario Child Advocate<sup>1</sup> and the Information and Privacy Commissioner of Ontario.

School boards should also note that Ontario has passed the *Child, Youth and Family Services Act, 2017* (CYFSA) which will replace the current CFSA. The CYFSA modernizes the current legislation by putting children at the centre of decision-making and supports more accountable, responsive and accessible child and youth services. It comes into force on April 30, 2018 except for Part X which comes into force in January 2020. It is anticipated that consequential amendments will be made to PPM 9 and made available to boards in fall 2018.

More information on the CYFSA can be found as follows:

<http://www.children.gov.on.ca/htdocs/English/professionals/childwelfare/modern-legislation.aspx>.

More information on the Duty to Report can be found as follows:

<http://www.children.gov.on.ca/htdocs/English/childrensaidd/reportingabuse/abuseandneglect.aspx>.

## **New Initiatives**

On October 23, 2017 we announced two new supports for children and youth in care: transportation funding support and an education liaison program. These initiatives support the goals of our renewed vision for education in Ontario of achieving excellence, ensuring equity and promoting well-being.

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<sup>1</sup> Formally the Provincial Advocate for Children and Youth, under the *Provincial Advocate for Children and Youth Act, 2007*.

## Transportation

In February 2018, we provided details to school boards on the ministry's new funding for children and youth in care to remain in their home school on a temporary basis, after a placement change, until a more natural transition time and when it is in their best interest. School boards were requested to complete an application to access the funding for the 2017-18 school year and were informed of their approved funding through a transfer payment agreement which outlined the details and reporting requirements.

For the 2018-19 school year, we expect to continue with an application process which is anticipated to be released in fall 2018. A fall release will allow the ministry to review the information gathered through reporting to inform changes to the application process and reflect lessons learned in the first year of the program.

We are pleased to share that there was considerable interest in the transportation funding for children and youth in care. We expect that as more school boards review local need and collaborate with their society partners, there will be more interest next year. Future funding allocations will be assessed annually based on need and funding. We encourage boards and societies to continue the collaboration and partnership to support the education goals of children and youth in care.

Please continue to direct any questions you may have about the transportation supports to Melanie Van Hees, Senior Policy Advisor, Equity and Inclusive Education Unit, at 416-327-9617 or at [melanie.vanhees@ontario.ca](mailto:melanie.vanhees@ontario.ca).

## Education Liaison Program

The Ministry of Children and Youth Services (MCYS) is leading a new Education Liaison program that will coordinate education supports for children and youth in care. Education Liaisons will help to resolve issues that impact eligible children and youth learning, and strengthen relationships among societies, public school boards, First Nations school authorities, and community partners in order to improve the educational outcomes of children and youth in care.

The Education Liaison model builds on existing practices, as some societies currently have a similar position in place. Each of the 49 societies across Ontario will now receive targeted funding to support an Education Liaison. MCYS began providing funding for the program to societies in March 2018. Liaisons will be in place by the end of summer 2018.

Education Liaisons will collaborate with school boards and with community organizations in fulfilling their roles and will also play an important role in supporting collaboration between school boards and societies to identify eligible children and youth in need of transportation supports that could be funded through EDU. Thank you for your ongoing commitment to improving the educational outcomes and well-being of children and youth in care.

*Original signed by:*

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Indigenous Education and Well-Being Division  
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**c. Senior Business Officials**

Mental Health Leads

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Vena Persaud, A/Director, Inclusive Education Branch, EDU

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Child Welfare Secretariat, MCYS