

Bill 101, *Putting Student Achievement First Act, 2026*

Submission to the
Standing Committee on
Social Policy

ONTARIO ENGLISH
**Catholic
Teachers**
ASSOCIATION

The Ontario English Catholic Teachers' Association (OECTA) represents the 45,000 passionate and qualified teachers in Ontario's publicly funded English Catholic schools, from Kindergarten to Grade 12.

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INTRODUCTION

The Ontario English Catholic Teachers' Association (OECTA) welcomes the opportunity to provide input on behalf of 45,000 teachers working in publicly funded Catholic schools in Ontario, in response to the government's proposed legislation, Bill 101, *Putting Student Achievement First Act, 2026*.

While the government has framed the legislation as a measure to improve student achievement, Bill 101 would make sweeping amendments to Ontario's education statutes that centralize authority, weaken local governance, restructure collective bargaining, and reduce accountability.

The Minister of Education has also indicated that the government intends to use these new authorities to drive broader policy changes at the classroom and system level.

Bill 101 introduces sweeping changes that, if passed, would:

- Expand ministerial authority over pedagogy, governance, and finance;
- Interfere with established collective bargaining structures;
- Reduce the role and independence of locally elected school boards;
- Limit legal accountability through broad immunity provisions; and
- Introduce policies that risk penalizing vulnerable students rather than supporting them.

These changes, taken together, represent a systemic restructuring of publicly funded education in Ontario, not a targeted strategy to improve student achievement. The success of Ontario's publicly funded education system has been built on trust, meaningful collaboration, and respect for professional expertise – not control and compliance. Contrary to the government's stated objectives, Bill 101 threatens to destabilize the publicly funded education system and undermine the conditions necessary for student success. As such, Catholic teachers call on the government to withdraw Bill 101 and engage meaningfully with OECTA and other education partners to develop evidence-based solutions that truly support students.

This submission outlines the key risks posed by the legislation and the implications for students, teachers and education workers, and communities.

STRUCTURAL CHANGES TO EDUCATION GOVERNANCE

Centralization of Ministerial Authority

Bill 101 significantly expands ministerial authority across virtually every aspect of Ontario's publicly funded education system.

If passed, the legislation would empower the Minister to establish binding policies governing student assessment, the selection and use of educational materials, and school board communications (Compendium, Schedule 2; Bill, s. 8(1)). In so doing, the legislation threatens to infringe on teachers' professional judgement.

The bill also extends ministerial authority into core governance, financial, and operational functions. School boards may be required to obtain approval for budgets and operate within provincially prescribed financial frameworks that may limit their ability to allocate resources in response to local needs (Bill, ss. 232, 233). Additional provisions empower the Minister to issue binding directions, intervene in board decision-making, and assume control of operations where deemed necessary.

Taken together, these measures fundamentally alter the governance model of publicly funded education in Ontario. School boards – traditionally locally elected bodies responsible for representing community interests – would effectively be repositioned as administrative arms of the ministry, tasked with implementing centrally determined policies rather than exercising independent judgement.

This shift toward centralization raises several important concerns:

- **Undermines local democratic accountability:** Trustees' ability to represent and respond to community needs is diminished, weakening local voice and oversight.
- **Reduces responsiveness:** Centralized approaches may not reflect the diverse realities of Ontario's schools and school communities, and may discourage locally-driven solutions.
- **Increases risk of politicization:** Decisions on assessment, instructional materials, and communications shift from pedagogical expertise to Queen's Park, making them more vulnerable to short-term political priorities and less responsive to students' needs.

- **Weakens traditional checks and balances:** Authority is consolidated within the ministry while oversight and avenues for challenge – particularly through immunity provisions – are reduced.
- **Lacks evidence of benefit:** Despite claims from the government, there is no clear evidence that increased centralization improves student achievement.

Simply put, the success of Ontario's publicly funded education system has been built on meaningful collaboration. Bill 101's expansion of ministerial authority replaces a balanced, collaborative governance model with centralized control, weakening accountability, responsiveness, and the conditions that support student success.

Impact on Democratic School Board Governance

The expansion of ministerial authority has direct and significant consequences for the role of school boards.

The proposed measures in Bill 101 do not necessarily introduce entirely new governance structures so much as they constrain the effectiveness of existing ones. As a result, school boards are no longer able to function as independent, democratically accountable bodies – and at the same time, the voices of parents, caregivers, and communities are significantly diminished.

Instead, they are increasingly positioned as administrative entities responsible for implementing provincial directions. This will, in turn, diminish local voices, constrain decision-making capacity, and reduce transparency and engagement.

Further, by reducing trustee honoraria, the legislation risks diminishing the incentive for qualified candidates to seek election, which in turn may weaken board governance capacity and reduce participation in trustee associations, such as the Ontario Catholic School Trustees' Association (OCSTA) – particularly where membership funding becomes optional and is likely to decline.

Over time, the effect of this weakened role may result in detracting capable individuals from running as candidates for trustee positions.

As such, the cumulative effect of Bill 101 will not be simply to change governance mechanisms, but rather to redefine and diminish the role of school boards within the publicly funded education system.

Elimination of Independent Oversight Bodies

As part of Bill 101, the government is proposing to reduce the role of key independent bodies within Ontario's publicly funded education system, including the Higher Education Quality Council of Ontario (HEQCO) and the Languages of Instruction Commission.

These institutions do more than offer advice. HEQCO provides arm's-length research and system analysis, while the Languages of Instruction Commission has provided an independent dispute-resolution function in matters affecting French-language education rights.

Their removal concentrates more authority in the ministry, while simultaneously reducing oversight mechanisms. It also weakens the education sector's ability to make evidence-informed decisions that contribute to student success, and work toward strengthening Ontario's future workforce.

Corporatization of Education Governance

Through this legislation, the government is signaling a broader shift in how Ontario's publicly funded education system is conceptualized. By redefining the Director of Education as a "chief executive officer," the legislation adopts language and structures drawn from the corporate sector – raising significant questions about the future direction of publicly funded education.

This change suggests a move away from a system rooted in educational leadership and community accountability, toward one shaped by managerial and operational priorities. While co-ordination and efficiency are important, education is not analogous to a corporate enterprise. Its success depends on relationships, professional expertise, and responsiveness to students and communities – factors that do not lend themselves easily to centralized, top-down management models.

Renaming Directors as CEOs risks narrowing the focus of leadership. Rather than serving primarily as instructional and system leaders, Directors may now become responsible

primarily for executing centrally determined priorities. In addition, the legislation is silent as to whether these individuals must hold Ontario College of Teachers (OCT) certification. As a result, decision-making may become more aligned with compliance, performance metrics, and administrative control, rather than with the broader educational mission of schools.

There is also a symbolic dimension to this shift. Language matters. The adoption of corporate terminology reflects – and reinforces – a view of education as a system to be managed rather than a public good, centred on students, to be nurtured and celebrated. Over time, this can influence how decisions are made, what outcomes are prioritized, and how success is defined.

Taken in sum, Bill 101 centralizes authority and reshapes governance structures across Ontario’s publicly funded education system. These proposed measures point toward a model of education that is less collaborative, less locally responsive, and more tightly controlled from Queen’s Park.

Catholic teachers believe that publicly funded education must remain grounded in its core purpose: supporting the development and well-being of students. Leadership structures should reflect that purpose, not import models that risk diminishing it.

COLLECTIVE BARGAINING AND CONSTITUTIONAL RIGHTS

Bill 101 introduces significant changes to the structure and operation of collective bargaining in Ontario’s education sector. These changes represent a marked departure from established labour relations frameworks and raise serious concerns regarding fairness, stability, and constitutional compliance.

Disrupting Collective Bargaining Structures

As proposed, the legislation designates the Council of Ontario Directors of Education (CODE) as the employer bargaining agency for English-language school boards, replacing existing democratically elected trustee associations. At the same time, the Minister is granted authority to intervene where CODE is deemed “unable or unwilling” to carry out its functions, including the power to appoint an alternative entity to conduct bargaining (Bill, ss. 21, 22.1). The Minister is also given regulation-making authority over the internal

governance and processes of the bargaining agency.

These provisions introduce a level of direct and indirect government control over collective bargaining that is unprecedented in Ontario's education sector.

The proposed changes are not simply cosmetic – swapping one employer agent for another. Bill 101 also restructures how that agent operates. The CODE bargaining committee may establish the process by which CODE exercises its bargaining rights and duties. That process does not require voting and, even in situations where voting is required, it would not need to comply with subsection 21(4) of the *School Boards Collective Bargaining Act (SBCBA)*, which stipulates that “if voting is required in respect of collective bargaining... the outcome of a vote must be decided by the approval of a majority of the school boards that are represented by the agency, with their votes weighted to reasonably reflect, for each school board, the size of the bargaining units containing employees of the school board” (*SBCBA*, 21(4)).

There are significant labour relations implications to this provision. Namely, CODE's mandate could ultimately ignore or fail to reflect the demands of most affected school boards. This undermines school boards' influence over its own policy, including as it relates to central working conditions.

In addition, under the proposed measures in Bill 101, the Minister may also, by order, amend or replace the CODE bargaining committee's by-laws. These are not incidental or administrative changes; they are structural mechanisms that substantively increase government control over the employer side of collective bargaining.

Catholic teachers have several serious concerns with Bill 101 as it relates to collective bargaining. As proposed, the legislation raises the possibility of:

- **Undermining good faith bargaining:** Free and fair collective bargaining depends on the independence of the parties. By centralizing control over the employer side – and enabling ministerial override – the bill risks undermining the integrity of the bargaining process.
- **Imposing political influence:** Granting the Minister authority to intervene in bargaining structures creates the potential for negotiations to be shaped by political considerations rather than labour relations principles.

- **Destabilizing established frameworks:** Ontario's current bargaining model reflects years of development and negotiation, enshrined in legislation. Replacing employer representation structures risks disrupting stable labour relations.
- **Creating imbalance between parties:** While unions remain independent, the employer side becomes increasingly subject to ministerial control, altering the balance necessary for meaningful negotiations.
- **Erodes understanding of local context:** Centralizing employer representation in a single administrative body risks weakening the ability to reflect local realities, as bargaining becomes further removed from the specific needs, challenges, and circumstances of individual school boards and communities.

Removal of Trustees Associations as Employer Bargaining Agent

A particularly concerning aspect of Bill 101 is the removal of OCSTA and the Ontario Public School Boards' Association (OPSBA) as a formal employer bargaining agent in central bargaining, and its replacement with CODE.

Replacing OCSTA and OPSBA with CODE fundamentally alters the nature of the employer party. Unlike trustee associations, which are directly accountable to elected boards and the communities they serve, CODE is composed of senior administrators. While Directors of Education (or CEOs) possess operational and financial credentials, they do not occupy the same governance role and are not equally positioned to represent the broader public interest in the same way as trustee organizations.

As part of this provision in Bill 101, a new s.53 will be introduced to the SBCBA, which will require the transfer of information held by OCSTA to CODE, notwithstanding any privilege or other agreement to which OCSTA was a party. This raises confidentiality concerns given that CODE is effectively a government-controlled entity.

Looking specifically within the context of publicly funded Catholic education, OCSTA has historically played a critical role in collective bargaining, representing Catholic school boards with a mandate grounded in public governance, denominational rights, and deep understanding of the publicly funded Catholic education system. Its removal represents a significant departure from established practice and raises serious concerns about the effectiveness and integrity of the bargaining process.

Potential Constitutional and Denomination Implications of Relegating OCSTA's Bargaining Role

Making OCSTA an observer to central bargaining under conditions imposed by CODE and the Crown – and thus taking away its status as the employer bargaining agency for Catholic schools – has two potentially unconstitutional effects.

First, it arguably contravenes s.93(1) of the *Constitution Act, 1867* by prejudicially affecting the denominational rights of Catholics in Ontario. Under the proposed legislation, CODE becomes the employer bargaining agency. However, CODE is not independent of the government, insofar that the government may substitute another person or body for CODE – and also may make regulations regarding the authority of CODE's bargaining committee, its processes for decision making under the legislation, and requirements to provide information to the government.

This lack of independence from government control demonstrates that CODE cannot be a steward of denominational rights protecting Catholics from government intrusive actions. This is particularly so when OCSTA has a non-participatory role in central bargaining, which involves the negotiation of the most important terms and conditions of employment for Catholic teachers.

In short, the body enshrined by our constitution to protect the Catholicity of the system has been sidelined by the government, which has been constitutionally prohibited from interfering in the system. In the place of OCSTA, the new legislation substitutes a body controlled by the government.

The second potentially unconstitutional effect is that the new legislation may contravene s.2(d) of the *Canadian Charter of Rights and Freedoms* by interfering with a meaningful process of collective bargaining. It was never intended that OECTA's party opposite in collective bargaining would effectively be the Government of Ontario. To remove the custodian of denominational rights from collective bargaining and replace it with a government-controlled body creates the conditions for unconstitutional intrusion.

With respect to granting OCSTA "observer" status, an arrangement which assumes that denominational rights can be protected by making their custodian an "observer" in collective

bargaining and referring denominational concerns to the Ontario Labour Relations Board (OLRB) takes a simplistic view of denominational education.

Rights and privileges “with respect to denominational schools” are intended to secure firm protection for an education system permeated in all respects by denominational values, perspectives, and concerns. The Supreme Court of Canada has recognized that “permeation” means more than the right to religious instruction. Permeation encompasses instruction, shaped by denominational values and concerns, conducted in an educational setting and community influenced by and managed in accordance with denominational values. An “observer” is not equipped to protect these all-encompassing denominational values nor is a body controlled by the government from whom protection is required.

Constitutional Uncertainty and Denominational Rights

Beyond these labour relations concerns, the proposed changes raise significant constitutional issues, particularly under s.2(d) of the *Canadian Charter of Rights and Freedoms*, which protects freedom of association.

The Supreme Court of Canada has repeatedly affirmed that s.2(d) includes the right to meaningful collective bargaining, including the ability of employees to engage in a process that is independent, in good faith, and free from substantial interference by the state. Legislation that undermines the capacity of one party to bargain freely, or that gives the state undue control over the process, may constitute an infringement of this right. In this context, Bill 101 raises concern that:

- The Minister’s ability to override or replace the employer bargaining agent may constitute substantial interference in the bargaining process;
- The regulation-making authority over bargaining structures may limit the independence and autonomy of the employer side; and
- Taken together, these provisions may undermine the meaningful nature of collective bargaining, as required by the *Charter*.

Constitutionally-protected Education Systems

The legislation raises concerns regarding the treatment of constitutionally-protected education systems in Ontario.

As noted, the publicly funded Catholic education system is protected under s.93 of the *Constitution Act, 1867*, which guarantees denominational school rights, including aspects of governance and management. At the same time, French-language education rights are protected under s.23 of the *Charter*, which has been interpreted by the courts as requiring a high degree of management and control by minority language communities.

Bill 101 appears to maintain, and in some respects reinforce, governance protections for the French-language system, including greater insulation from centralized control. By contrast, the expanded ministerial authority and centralized bargaining framework appear to apply more directly – and broadly – to English-language boards, including publicly funded Catholic boards.

This creates the potential for a concerning disparity between constitutionally recognized education systems. While both Catholic and French-language education systems have constitutional foundations, the Bill appears to preserve stronger operational autonomy for one over the other. Increased ministerial control over governance, operations, and bargaining raises the potential for erosion of denominational rights protected under s.93 of the *Constitution Act, 1867*.

Catholic teachers remain clear: free, fair, and constitutionally compliant collective bargaining is essential to a well-functioning publicly funded education system. The proposed changes in Bill 101 risk undermining stability and exposing the province to legal challenge.

EROSION OF TEACHER PROFESSIONAL AUTONOMY

The centralization of authority under Bill 101 does not stop at governance and system-level decision-making – it extends directly into the classroom. As proposed, the legislation grants the Minister authority over student assessment, as well as the selection and use of educational materials (Bill, s. 8(1)).

Catholic teachers are particularly concerned by the Minister's stated intention to mandate the use of approved learning resources, including specific teacher guides, lesson plans, and digital interactive tools. This signals a shift beyond setting policy direction toward the standardization of instructional delivery itself – and represents a fundamental intrusion into the professional role of teachers.

This concern is not merely philosophical. International research consistently emphasizes teacher autonomy as a core feature of professional practice. When that autonomy is narrowed, the system also narrows the capacity of teachers to effectively plan for varied student learning needs (OECD 2024).

Mandating specific educational materials, such as lesson plans and teacher guides risks transforming teaching into a scripted and compliance-driven activity. Teachers may be required to deliver pre-determined content in prescribed ways, limiting their ability to:

- Differentiate instruction based on student needs;
- Adapt content to reflect local context and student experience, including the ability to ensure culturally relevant and responsive resources are embedded throughout the curriculum;
- Respond to classroom dynamics in real time; and
- Exercise professional judgement in pedagogy.

This approach is inconsistent with well-established educational best practices, which emphasize flexibility, responsiveness, and the importance of teacher-student relationships. At the same time, mandating the use of centralized digital tools and platforms raises pedagogical concerns. Not all students learn in the same way, and not all tools are appropriate in every context. A one-size-fits-all approach fails to support all learners and risks disadvantaging students with special education needs, those facing digital access barriers, as well as students in classrooms requiring alternative instructional approaches. The potential effect of these measures would be to redefine teaching, shifting from a profession grounded in expertise and judgement to one governed by adherence to government prescribed scripts and tools – a movement toward the failed US model. Catholic teachers are emphatic that student achievement is not improved through standardization and control, but through engaged teaching, responsive pedagogy, and strong relationships between teachers and students.

Professional autonomy is not incidental to student success – it is essential to it. Catholic teachers apply professional knowledge and experience to promote student learning. They use appropriate pedagogy, assessment and evaluation, and resources and technology in planning for and responding to the needs of individual students and learning communities. They refine their professional practice through ongoing inquiry, dialogue, and reflection.

An essential element of individual professional autonomy is teachers having the assurance they are free to exercise professional judgement in teaching students. This professional judgement is a critical element in the quality of publicly funded Catholic education. Policies that limit or constrain teachers' ability to respond to their students' needs ultimately undermine the very outcomes the government claims it is attempting to address.

EXPANSION OF MINISTERIAL INTERVENTION POWERS

Bill 101 grants the Minister broad and far-reaching powers to intervene directly in school board operations.

As proposed, the legislation would allow the Minister to issue binding directions to school boards, appoint third parties to assume control over projects or functions, and require boards to bear the associated costs (Bill, s. 195.0.1). It also expands the use of vesting orders, enabling the Minister to assume full control over a school board's governance and financial affairs (Bill, ss. 230.3–230.5.5).

The proposed increase in ministerial vesting powers may have a chilling effect throughout school boards, which may be reluctant to act independently in relation to their local needs due to a fear of being placed under ministerial supervision.

These powers are extraordinary in scope and represent a significant departure from existing oversight mechanisms.

Catholic teachers have several concerns about this proposed expansion. First, the legislation does not establish transparent criteria or thresholds for when intervention is warranted, creating uncertainty and risk of inconsistent application. At the same time, there are limited requirements for notice or independent review, which will reduce transparency and accountability.

The result of expanded ministerial powers will be to create operational instability without sufficient safeguards or accountability mechanisms. This expansion goes well beyond what can be considered reasonable or necessary, and creates significant risks for system stability and public confidence.

While intervention may be necessary in limited and clearly defined circumstances, such powers must be narrowly scoped, transparent, and subject to oversight.

Attendance-based Grading and Student Well-being

At the press conference announcing Bill 101, the Minister indicated that the government plans to link student attendance to academic grading, assigning a portion of final marks based on participation and presence in class. While improving attendance is an important objective, the government's proposed approach reflects a fundamental misunderstanding of the causes of student absences.

Absenteeism is rarely a matter of motivation alone. In many cases, it is a symptom of broader challenges, including mental health concerns, unsafe or unwelcoming school environments, unmet learning needs, caregiver responsibilities, and socio-economic barriers, such as transportation or housing instability.

This is particularly evident in the post-pandemic context, where academic research and reporting have shown that student absenteeism has increased following COVID-19, reflecting ongoing impacts on student mental health, engagement, and well-being (Rushowy and Teotonio 2026; Rogers et al. 2025).

As such, by tying marks to physical presence, the policy is seeking to address symptoms rather than causes, and fails to account for the underlying factors driving absenteeism. This approach raises a number of significant concerns. For instance, it risks penalizing vulnerable students – particularly those facing mental health challenges, systemic barriers, or unsafe environments – who are already more likely to experience difficulties with attendance. At the same time, it is a move away from inclusion, creating additional barriers for students who require an action-oriented response that addresses individualized student needs – all of which could negatively impact student achievement and graduation rates. It also undermines the integrity of assessment. Grades should reflect a student's learning and achievement, not their ability to overcome external barriers to attendance. Introducing attendance as a graded component shifts evaluation toward compliance, rather than meaningful demonstration of knowledge and skills.

At the same time, the policy may increase stress and anxiety for students who are already struggling, compounding the very challenges that contribute to their absence. Ultimately,

it is unlikely to produce meaningful behavioural change. Students attend school and are successful in their learning when they feel safe, supported, and engaged – not because of punitive or compliance-based measures.

Catholic teachers feel strongly that improving attendance requires support, not punishment. Effective strategies include increased access to mental health services, smaller class sizes, stronger student supports, and inclusive, welcoming school environments – supported by inclusive policies, programs, and curriculum.

Student achievement is strengthened when students are able – and supported – to attend and engage in school. Policies that penalize absence risk further marginalizing the students most in need of support. In that context, attendance-based grading risks punishing the educational consequences of the pandemic rather than addressing them.

ELIMINATION OF LEGAL ACCOUNTABILITY

The proposed legislation includes broad immunity clauses that protect the Crown and its agents from liability and restrict the ability of individuals or organizations to bring legal proceedings or seek remedies (Bill, ss. 17.2–17.3, 195.0.3, 230.15.2). While some protections are standard, the scope of the provisions outlined in Bill 101 goes well beyond the norm.

These provisions raise serious concerns. They limit access to justice by reducing the ability of affected parties to challenge decisions or seek remedies, even where those decisions have significant consequences. They also weaken oversight, since legal challenge is an important mechanism for ensuring government accountability. In effect, the bill expands ministerial power while narrowing the avenues available to test, review, and restrain the government's exercise of that power.

This will undermine public confidence and insulate government decision-making from meaningful public scrutiny at the same time that its powers are being expanded. Catholic teachers believe that accountability must accompany authority. Strong public institutions depend on transparency, oversight, and access to fair and independent review.

IMPACT ON STUDENTS

Equity and Student Well-being Data

Bill 101 removes requirements related to school climate surveys, eliminating a key tool used to understand student well-being, safety, and inclusion across Ontario's publicly funded education system.

School climate surveys provide critical data on issues such as bullying, discrimination, mental health, and student engagement. This information supports evidence-based decision-making at both the school and board level, enabling targeted interventions and resource allocation to support vulnerable students (NCES 2026; OECD 2015).

The removal of climate surveys will reduce the ability to understand trends in student experience, thus weakening equity efforts and undermine accountability. This will impact the learning environment for all learners, and disproportionately impact efforts to support the most marginalized learners within a school community.

At the same time, the proposal runs counter to other aspects of Bill 101. For example, removing tools that help explain student disengagement is particularly concerning in the context of attendance-based grading, which seeks to address its effects. It also limits student voice, which is a key consideration for student success, as outlined in existing policy documents (Ministry of Education 2022; Ministry of Education 2022a; Ministry of Education 2013).

Catholic teachers believe that strong education policy must be grounded in reliable data, transparency, and a clear understanding of student experience. Eliminating school climate surveys moves the system in the opposite direction.

Privacy and Data Collection Concerns

With respect to student data, Bill 101 proposes to expand the collection, use, and potential sharing of student data, including through broader application of the Ontario Education Number (OEN) and increased reliance on centralized digital tools.

While data can support system planning, the proposed changes raise important concerns about privacy, oversight, and appropriate use. The legislation provides limited clarity on how

personal information will be collected, stored, shared, and protected, particularly as digital learning platforms become more integrated into classroom instruction.

Any expansion of data use must be accompanied by clear safeguards, strict limits on use and sharing, and independent oversight to protect student privacy and maintain public trust.

CONCLUSION

Bill 101 is not a targeted response to improve student achievement, as the government purports. Instead, it is a sweeping restructuring of Ontario's publicly funded education system that concentrates authority in the government, weakens democratic governance, disrupts collective bargaining, limits professional autonomy and student voice, and reduces accountability. Taken together, these measures move the system away from the conditions that best support student success: trust, stability, responsiveness, and meaningful collaboration.

Catholic teachers believe that publicly funded education is a public good, not a system to be managed through central control, corporatization, and compliance. Ontario's students deserve policies that respect teachers' professional judgement, uphold constitutional and democratic protections, are rooted in research and evidence-based decisions, and invest in the supports that students actually need to learn and thrive.

Ultimately, investing in education is an investment in Ontario itself. By strengthening public institutions, supporting the people who deliver them, and working collaboratively toward shared goals, Ontario can build a more equitable, resilient, and prosperous province – one where every student has the opportunity to succeed, and where publicly funded education continues to serve as a cornerstone of the public good.

For these reasons, Catholic teachers urge the government to immediately withdraw Bill 101 and re-engage with OECTA and other education stakeholders to develop evidence-based, equitable policies that are truly focused on supporting students.

RECOMMENDATIONS

In light of the concerns outlined above, Catholic teachers call on the government to withdraw Bill 101 in its current form.

- **Withdraw and Re-engage:** Given the breadth and significance of the proposed changes, Catholic teachers call on the government to withdraw Bill 101 and engage in meaningful consultation with education partners to develop reforms that are evidence-based, equitable, and focused on supporting students.

Should the government insist on proceeding with this legislation, the Association recommends the following:

Governance and System Structure

- Amend the legislation to remove provisions that grant the Minister broad authority over assessment, instructional materials, governance, and financial decision-making.
- Restore the independence and decision-making authority of school boards, including removing requirements for ministerial approval of core functions, such as budgeting, communications, and capital planning.
- Reinstate and strengthen the role of independent, arm's-length bodies, such as HEQCO and the Languages of Instruction Commission to ensure evidence-based policy-making and impartial oversight.
- Preserve the role of Directors of Education as instructional and system leaders, rather than adopting a corporate "CEO" model that prioritizes corporatization and management over pedagogy and community accountability.

Collective Bargaining and Constitutional Protections

- Maintain existing bargaining structures and remove provisions that allow ministerial intervention or override of employer representation.
- Guarantee that parties in collective bargaining remain independent and free from provincial political interference.
- Amend the legislation to ensure full compliance with s.2(d) of the *Canadian Charter of Rights and Freedoms*, including the right to meaningful collective bargaining.
- Ensure that the governance and bargaining framework respects s.93 of the *Constitution Act, 1867*, and does not diminish the autonomy of Catholic education relative to other constitutionally-protected systems.

Ministerial Intervention Powers

- Establish and articulate transparent criteria for when intervention in school board operations is permitted.
- Require independent review, clear timelines, and accountability mechanisms for any exercise of intervention powers.
- Limit the ability of the Minister to assume full control of school board operations to exceptional and clearly defined and justified circumstances.

Professional Autonomy and Classroom Practice

- Preserve teacher professional judgement by removing provisions that would enable the Minister to mandate educational resources, such as curricular resources, specific lesson plans, teacher guides, or instructional delivery methods.
- Ensure that any provincial guidance on educational materials remains advisory rather than prescriptive, allowing teachers, education workers, and school boards to select resources that meet local needs.
- Protect the ability of teachers to differentiate instruction and respond to diverse student learning needs.

Student Well-being and Attendance

- Eliminate proposals that would tie student grades to attendance, recognizing that absenteeism is often a symptom of broader challenges.
- Invest in evidence-based measures to improve attendance, including mental health supports, smaller class sizes, enhanced student services, as well as policies and procedures that support equity and inclusion.

Accountability and Transparency

- Amend or eliminate provisions that limit legal accountability and restrict access to justice.
- Maintain the ability of individuals and organizations to challenge government decisions and seek appropriate remedies.

Equity, Data, and Student Supports

- Reinstatement requirements for climate surveys to ensure ongoing monitoring of student well-being, safety, and inclusion.
- Ensure that policy decisions are informed by reliable data and reflect the needs of marginalized and vulnerable students.
- Establish clear limits on the collection, use, and sharing of student data, including independent oversight of digital platforms and OEN use.

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