

## Ontario Education Governance 1995 to the Present: More Accountability, More Regulation, and More Centralization?

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The purpose of this study was to examine the general trend of education governance in the Canadian province of Ontario since 1995 when the Progressive Conservatives led by Michael Harris formed a new majority government. The article is divided into three sections. The first section provides the context and a historical background of Ontario education from its beginning to 1995 when the Conservatives started significantly transforming the governance of education. The second section describes the changes the Conservative government and the following Liberal government made between 1995 and the present, paying attention to the important shifts and tensions in the relationship between school boards and the government and how these shifts and tensions affected the overall education governance. The third section presents the tension between the government and two teachers' unions in the last round of collective bargaining when school boards did not play a significant role. The paper concludes with an attempt to draw lessons from the shifts in education governance since 1995 in terms of how it is likely to evolve in the future.

**Key words:** education governance, accountability, policy changes, administration, leadership

The purpose of the study reported in this article was to examine the general trend of education governance in the province of Ontario since 1995 when the Progressive Conservatives led by Michael Harris formed a new majority government. The article is divided into three sections. The first section provides the context and a historical background of Ontario education from its beginning to 1995 when the Conservatives started significantly transforming the governance of education. The second section describes the changes the Conservatives and the following Liberals made between 1995 and the present, paying attention to the important shifts and tensions in the relationship between school boards and the government and how these shifts and tensions affected the overall education governance. The third section presents the tension between the government and two teachers' unions in the last collective bargaining, when school boards did not play a significant role, which was an indication of how centralized education governance had become in Ontario. The paper concludes with an attempt to draw

lessons from the shifts in education governance since 1995 in terms of how it is likely to evolve in the future. The intent of the paper is to contribute to a systematic and better understanding of the shifts in Ontario education governance. Understanding the recent changes in governance is helpful for understanding how it is likely to evolve further, which will affect everyone in the education system.

The methodology of this study was a document analysis focused on policy analysis. Document analysis is a systematic procedure for reviewing documents (both printed and electronic) materials (Bowen, 2009). To that end, the author examined the literature related to the history of Ontario education and the literature related to education governance since 1995. In addition, the author analyzed empirical data from a set of legislations and educational organizations' documents related to education governance policy changes. These legislations and documents provide current and historical documentary data available through archives and websites of the provincial legislature, the

Ministry of Education, provincial professional organizations, public interest groups, and the news media.

### **The Context and the History**

This study was conducted in a national context where accountability and centralization had been the trend for over a decade or longer (Anderson & Ben Jaafar, 2007; Levin, 2005; Levin & Fullan, 2008). The Canadian Constitution stipulates that education is under provincial jurisdiction (The Parliament of the United Kingdom, 1867). Elementary and secondary education, except for aboriginal children and children of Canadian armed forces, is under the control of provinces. In Ontario education decisions are made mainly by the provincial government in terms of funding, regulation, and delivery. The provincial government delegates power to district school boards, which administer publicly funded schools. Education Act Part II.2 subsection 58.1 clause 2 provides clearly that it is the provincial government that decides the area of a district school board and gives it a name. Subsection 58.5 clause 1 states that “every district school board is a corporation and has all the powers and shall perform all the duties that are conferred or imposed on it under this or any other Act” (the Legislature Assembly of Ontario, 1990). The Canada Business Corporations Act stipulates that a corporation “has the capacity... the rights, powers and privileges of a natural person” (Parliament of Canada, 1985). Approximately 95 percent of Ontario school age children go to publicly funded schools (People for Education, 2012), and 5 percent go to independent schools or are home-schooled. There are 72 district school boards administering 4,020 elementary schools and 911 secondary schools in Ontario with 7,418 principals and vice-principals and 114,387 teachers, who teach 2,061,390 students (Ontario Ministry of Education, 2012a). Of these 72 district school boards, 31 are English public school boards, 29 are English Roman Catholic school boards, 4 are French public school boards and 8 are French Roman Catholic school boards.

In considering how Ontario education governance has evolved since 1995, it is useful to take a brief historical look at how education

developed in the province. Before the Seven Years’ War (1756-1763) between France and England, most European settlers in today’s Canada were French and British, but the French controlled a larger area and called this area New France (Conrad & Finkel, 2006, p. 141). In the Seven Years’ War the British defeated the French. As a result, New France became part of British colonies in North America. Today the largest Canadian ethnic group is of British origin and the second largest group is of French origin (Statistics Canada, April 7, 2011). Article 23 of the Canadian Charter of Rights and Freedoms, which is part of Canada’s Constitution, guarantees French Canadians’ right to have their own schools in each province, where instruction is provided in French (the Constitution Act, 1982). In addition to the 12 French district school boards in Ontario, to promote mutual understanding between English Ontarians and French Ontarians, core French is an obligatory component of the provincial curriculum in all English district school boards. French immersion programs have been established in English school boards in response to local parents’ demand where instruction is provided in French to English speaking children.

Before 1867 two publicly funded school systems had been established in Ontario: one for the majority Protestants and the other for the minority Catholics. The men who struck the compromise that created the Confederation of Canada recognized that there would be no Canada unless Quebec Protestants and Ontario Catholics were guaranteed their own minority schools (Borst, 2007). Canada started as a country with only four provinces: Ontario, Quebec, Nova Scotia and New Brunswick (Conrad & Finkel, 2009). In 1867 most non-aboriginal residents in these four provinces were practicing Christians and they were mainly of two denominations: Protestants and Catholics. In Ontario, Nova Scotia, and New Brunswick, Protestants were the majority, but in Quebec Catholics were the majority. Most schools provided religious instruction. Protestants in Quebec and Catholics in Ontario, Nova Scotia and New Brunswick wanted their own schools so that their children would not be subject to instruction by teachers of the majority denomination. This right of having

denominational minority schools was protected by section 93 of the Canadian Constitution (The Parliament of the United Kingdom, 1867). The Protestant school system in Ontario later became the public school system the majority of children go to.

The first Ontario school, a private one, was opened in 1798 in Toronto. In 1807 the Public Schools Act was passed at the provincial legislature, establishing eight public schools in the province (Ross, 1896). For each of the school a teacher was appointed, to whom \$400 was paid as his annual salary by the provincial government. The Lieutenant-Governor of Ontario appointed five trustees for each school, who were responsible for making rules for the good government of the school (Ross, 1896).

In 1816, the Common Schools Act was passed, dividing the province into eight districts each with a board of education, which depended on locally elected trustees for all their information. One principal provision of the Act was that the inhabitants of a town, or place were authorized to meet in public assembly, and as soon as they had built a suitable school house and were able to show that 20 children were likely to attend the school, they were to elect three persons to act as trustees of the school, with authority to appoint a teacher. The trustees were authorized to select textbooks and to make rules and regulations for the good government of their schools. No provision was made for levying rates upon property for the maintenance of the school. All sums required over and above the government grant had to be raised by voluntary contributions. The Common Schools Act of 1816 was the first attempt to provide for the education of all children (Ross, 1896).

In 1823 a general board of education was created for the province to direct and manage all schools and lands for education (Walker, 1971). The 1841 Union Act, of which the Education Act was a part, stated that Ontario would have a chief superintendent of education and all education was to be in his hands. Municipalities were to collect their own taxes to run schools (Walker, 1971). The Education Act provided more grant for education, but municipal councils were empowered to raise money by assessment for school purposes to match the government amount and municipal councils for districts were

constituted boards of education. Every pupil was to pay a monthly fee of 25 cents, but in each district 10 or fewer pupils from poor families were provided free education. The religious minority, whether Catholic or Protestant, had the right to establish their own school and to receive from the municipal treasurer the due appropriation according to the number of pupils. The legislature declared that locally elected school trustees were authorized to tax the inhabitants for the maintenance of schools and these trustees were entrusted all matters affecting schools. Although a monthly fee was chargeable upon pupils, a great advance was made toward free education (Ross, 1896).

After Egerton Ryerson became the superintendent of education in 1844, he promoted education for all. He believed that people should collect their own taxes, build their own schools, hire teachers and provide for their salary. Government aid should be given only when necessary and where it would benefit most. The state should be responsible for educating all children, and education should be made compulsory (Walker, 1971). Ryerson aimed at establishing a free, universal, and compulsory education system for all Ontario children (Guillet, 1960).

In 1846 a new Education Act was passed. One important provision was that the superintendent of education was to see that the school appropriation was properly distributed (Walker, 1971). The Act was amended in 1850, giving permission to any school section to determine whether the school should be maintained by a monthly fee from the pupils in addition to a tax upon the ratable property of the section, or whether all bills should be abolished and the schools declared free. The effect of this permission was to lead to the gradual adoption of free schools. In 1871 the School Act was passed, declaring free schools by statute (Ross, 1896).

The School Act was amended in 1876 to establish an Education Department. By the end of the 19<sup>th</sup> century every school in rural areas had a board of trustees with three elected trustees and for urban schools each ward had two trustees (Ross, 1896). Education was mainly funded by local tax payers. In 1940 the Minister of Education objected to the suggestion by the

Ontario Education Association to pay 50 percent of educational costs (Guillet, 1960).

Before the 1960s there were over 3,000 school boards in Ontario, which were governed by trustees elected in municipal elections. The number of school boards was reduced to about 170 in the late 1960s (Anderson & Ben Jaafar, 2003). School boards exist to operate schools and to act as intermediaries between the provincial government and local needs and concerns. Although they are corporations, their powers and duties are conferred on them by the provincial legislature and the government.

Before the current funding formula was introduced in 1998, Ontario's education funding model was a guaranteed tax-base grant plan in which local municipalities and the provincial government determined revenues for school boards (Lawton, 1996). Under that plan the grants from the provincial government had an equalizing effect; but there were significant differences in funding per pupil among different school boards because of the variation in wealth among municipalities. Historically, school boards had exclusive authority for levying education property taxes (Garcea & Munroe, 2014) and they had the power to decide how to pay their teachers. When the funding was not enough, they could approach their corresponding municipal councils to increase education tax. In 1997 local support to education was greater than that from the province (Gidney, 1999).

### **Changes the Conservatives and Liberals Made Since 1995**

In the 1990s all Canadian provinces except Prince Edward Island reduced the number of school districts, centralizing the governance of schools (Anderson & Ben Jaafar, 2007). Over the past twenty years provincial governments have introduced a broad array of educational reform and accountability initiatives to address higher public expectations for schools (Galway, Sheppard, Wiens, & Brown, 2013). Provincial expectations for performance planning, monitoring, and reporting are echoed throughout the education system at lower levels, such as district, school, and teacher level (Anderson & Ben Jaafar, 2007). The trend of centralization at the provincial level happened in the name of

efficiency and equity. It was believed with fewer school boards there would be less money spent on administration and with provincial governments having more power the funding would be equalized across a province. Provincial governments became more powerful and school boards less so (Galway et al., 2013; Levin, 2005). In addition, there has emerged a growing Canadian constituency that believes that school boards have become wasteful hierarchies whose role in promoting student learning is negligible and a common trend in governance has been the centralization of power at the provincial level (Galway et al., 2013). Ontario was no exception.

As the first section of this article indicates, Ontario had a tradition of 180 years of local governance of education by elected trustees. This tradition has been challenged by the increasing control from the provincial government, particularly with regard to the funding. In 1995 the Conservatives led by Harris campaigned under the ideological banner of "The Common Sense Revolution". A document bearing that title outlined the philosophy and directions of the Conservative party's political agenda. The overall message was clear: Reduce government bureaucracy and spending, cut taxes, eliminate the deficit, and rationalize government services (Anderson & Ben Jaafar, 2003). Shortly after forming a majority government in 1995, the Conservatives launched a comprehensive education reform, cutting \$400 million from funding for 1996-1997. They passed Bill 104, the Fewer School Boards Act, 1997, and 129 school boards amalgamated into 72 in January 1998. One consequence of amalgamating school boards was that they served more students over larger geographic areas. The direct ties between elected trustees and their constituents were weakened as the size increased. So did the links between boards and schools. The government increased control of funding and other areas formerly delegated to boards, such as the length of school year, teacher preparation time, and class size. The intention of these policies was to promote efficiency and consistency across the province. Bill 104 also cut the number of trustees and capped their honoraria at \$5,000 per year. To oversee the transition to the new system of educational governance, Bill 104 established the Education Improvement Commission.

The Harris government's initiatives reflected a neo-conservative spin on efficiency and accountability, the need to restore management rights, and upholding the legitimate authority of a democratically elected government (Bedard & Lawton, 1998). The provincial legislature passed Bill 160, the Education Quality Improvement Act, 1997, which took away school boards' power of deciding local education tax. Bill 160 amended the Education Act to make it illegal for school boards to operate with a deficit. One purpose of Bill 160 was to enhance the accountability of school boards.

The Education Improvement Commission's (2000) main responsibility was to ensure that new district school boards were established in an organized and appropriate manner. In February 1999 the Minister of Education asked the Education Improvement Commission (EIC) to undertake a systemic review of the new school boards. Specifically, the EIC was to focus its review on: the major activities boards undertook to reduce administrative and support structures, innovative and cost-effective ways of delivering non-teaching services, forward-looking practices that helped implement reforms, opportunities to increase effectiveness and efficiency, methods of communicating with communities, and the role of school councils. EIC (2000) claimed that the recent reforms focused on increasing student learning, creating greater equity, developing greater accountability and ensuring more efficient use of resources.

As a result of the Ministry's taking full responsibility of education funding, there was a significant change in the relationship between the Ministry and new district school boards. School boards must meet all the needs within their jurisdictions with the funding determined by the Ministry. Decisions the Ministry and school boards made came under increasing scrutiny. EIC (2000) outlined an accountability framework that defined "who does what" and provided recommendations for its implementation.

EIC (2000) stated that the restructuring was successful but incomplete and continued action was needed from all education partners. It indicated that having undergoing major changes the education system needed a period of stability to consolidate gains. EIC believed that the

development and implementation of a comprehensive accountability framework was the single factor that would have the greatest impact in improving the education system. It also believed that considerable work remained to be done to improve the effectiveness of the system. This task should be approached more cooperatively than in the past and should include all partners in the system. EIC (2000) presented three collaborative ways in which this task could be accomplished: increasing accountability, redirecting funds to the classroom, and improving communications.

The legislature passed Bill 74, the Education Accountability Act, 2000 to improve the accountability of school boards and to enhance students' school experience, further extending the government's powers over boards. In such a politicized environment the values and accountabilities against which school board trustees operated were likely to differ substantively from those of politicians and bureaucrats, thereby creating a policy environment that was antagonistic to local governance (Galway et al., 2013). In June 2002 three of the largest district school boards in the province: Toronto, Ottawa and Hamilton District School Boards submitted a budget with a deficit, insisting that they could not provide adequate services under the provincial funding formula without deficit spending. In response to the continued refusal of trustees to revise their deficit budgets, the government took over governing authority and appointed supervisors to the three boards. Trustees lost their decision-making power and they had no access to staff services. The supervisors made cuts to the budgets in August, balancing the budgets in Ottawa and Hamilton and significantly reducing the deficit in Toronto. The Toronto supervisor made a plan to further reduce the deficit in the following years and eventually balance the budget. Trustees and parents critical of the provincial take-over considered it an assault on democracy and local autonomy (Kalinowski, 2002). These provincially appointed supervisors set a precedent for the future of education governance.

In December 2002 a report commissioned by the government was released, which recommended a funding increase of \$1.8 billion

over a three-year period and greater local school board autonomy for expenditure to support at-risk students (Rozanski, 2002). While the government increased funding, greater local autonomy was not granted. In 2003 another report written by three scholars at the University of Toronto also suggested increasing local autonomy (Leithwood, Fullan, & Watson, 2003).

In October 2003 the Liberals led by Dalton McGuinty formed a new government. One of the first things the Liberals did was to remove the supervisors from Toronto, Ottawa and Hamilton and restored local governance to elected trustees. This action was celebrated by trustees as a return to democracy (Boyle, 2004). However, the expectation that school boards had to balance their budget did not change. The Liberals increased education funding, but some school boards still complained that funding was inadequate. Three large school boards: Toronto Public Board, Toronto Catholic Board and Dufferin-Peel Catholic Board submitted budgets with a deficit for 2006-2007. The government indicated that with increased funding boards should be able to balance their budgets. The government appointed auditors to review the budgets of these three boards. Working with auditors, Toronto Board and Toronto Catholic Board developed balanced budgets. Dufferin-Peel Board continued to resist recommendations from their auditor, which led the government to appoint a financial expert to work with the board to eliminate their deficit. However, the government did not formally suspend trustees' right to approve the eventual budget. In dealing with boards that submitted a deficit budget both the Conservatives and Liberals adopted an economic-bureaucratic accountability orientation as described by Anderson and Ben Jaafar (2007). What happened in Ontario was part of the trend across the country that emphasized district level accountability for fiscal responsibility (Anderson & Ben Jaafar, 2007).

The conflicts between some school boards and the government were indications of the unhappiness of trustees with the increasing control from the government of matters that had been considered local: funding, teacher working conditions, and teacher compensation. The \$5,000 cap on trustee honoraria was considered inadequate in recognizing the amount of work

trustees did, especially in large urban boards. It was considered too little incentive to attract capable candidates to run in trustee elections. There were cases of trustee positions acclaimed due to low interest. With Bill 78, Education Statute Law Amendment Act (Student Performance), 2006, the Liberals removed the \$5,000 cap on trustee honoraria. Although the Ministry of Education still had a limit on honoraria, boards could decide honoraria in accordance with the work trustees did, which allowed boards, particularly large urban ones, to increase honoraria.

In 2003–2004 the total funding excluding capital programs was approximately \$15.2 billion. In 2012-2013 it was about \$21 billion, with an increase of about 38%, even though enrolment has dropped approximately 5% since 2003–2004 (Ontario Ministry of Education, Spring 2014). The consumer price index for Ontario indicates an increase of 20% from December 2002 to December 2011 (Statistics Canada, 2012), which is the closest matching period the author can find. Simply put, there is more money for each student today than in 2003–2004 even with inflation considered. The Liberal government has invested more in education. While there is more money, there are more restrictions on where boards can spend the money, and there are more requirements on boards to report how they use the money. Some allocations are specified where they can be used. For example, the allocation for special education can only be used to assist students with special needs, not elsewhere.

Since the reform in 1997, education has been funded entirely according to a provincial formula, under which the government calculates how much funding each school board needs based on student enrolment, student characteristics, and board characteristics. There is less flexibility for boards to decide how to use their funding (Governance Review Committee, 2009) and boards have to make their annual financial statements public.

In Canada the tendency of provincial governments to centralize power is reflected primarily by changes in the way education is funded (Galway et al., 2013). Among the changes introduced in the late 1990s that had the greatest effect on Ontario school boards was the

implementation of the funding formula (EIC, 2000). When the formula was introduced there was strong resistance from people who disagreed with the government. They saw at least three problems with the formula. First, overall education funding was reduced. Second, one formula could not fit all school boards, which were different. Third, local autonomy was lost, which was undemocratic. People still debate whether the education funding is adequate and whether one size can fit all, but there is less protest about lost local autonomy. It seems that no one can have both: local autonomy and funding equity across a province.

Although the Liberals have increased funding for education, there is still criticism that funding is inadequate (Mackenzie, 2007). One advocacy organization, People for Education, surveys Ontario schools every year, asking them questions about class size, support services, textbook availability, school budgets, and how much money parents and teachers provide to supplement government funding. Their survey results often contradict what the government claims with respect to adequacy (People for Education, 2012).

Brimley, Verstegen, and Garfield (2012) contend that if the funding gap between expenditures per pupil in high-poverty districts and low-poverty districts is smaller than 10 percent, equity is within acceptable limits. Measured with this standard, Ontario funding can be considered equitable, since it determines funding provincially according to student enrolment, student characteristics, and school board characteristics, regardless of local wealth.

School boards receive revenues from both the provincial government and their own municipal governments. However, municipal governments across Ontario provide the same percentage of their income to boards, which is decided by the provincial finance minister; according to the funding formula, the balance is provided by the provincial government. Although the formula has been adjusted since 1997, its basic structure remains unchanged (Garcea & Munroe, 2014). In 2011-2012 the provincial government provided approximately 68% of the education funding and 32% was from local property tax (I. Gordon, Data Analyst, Special Education Policy & Programs Branch,

Ontario Ministry of Education, personal communication, August 16, 2012).

In the legislative grants only special education funding is designated. Most other funding can be moved from one allocation to another, which means some funding decisions are made at the school board level. Boards make decisions about individual schools' budgets and on criteria for things like the number of students a school must have in order to get staff such as vice-principals. Boards distribute funding for teachers to schools depending on the number of students and, in some cases, on the number of students who may struggle to succeed. Boards also decide which schools should stay open and which ones should close, as well as how many custodians, secretaries and educational assistants each school will get (People for Education, 2012).

In November 2008 the Minister of Education established a Governance Review Committee to consult stakeholders and make recommendations to clarify the duties, powers and accountabilities of school boards, board chairs, and trustees, effective practices in governance, and appropriate content of provincial interest regulations to ensure that boards achieve student outcomes. In February 2009 the Committee submitted a progress report to the Minister advising her on issues related to legislation to be introduced in the spring. In April 2009 the Committee presented its report to the Minister with 25 recommendations. The report indicated the challenges school boards faced: losing discretion with local taxation, administering larger organizations, immigration, declining enrollment, increased societal expectations, and an increased provincial direction and intervention. The report pointed out that in recent years the Ministry of Education took an increasingly active role in establishing provincial goals, priorities and targets and supported their achievement through the provision of expertise and financial resources. The highlights of the Committee's recommendations are: the Education Act be amended to include a statement that the mandate of school boards is to promote student achievement and well-being, deliver effective and appropriate programs, and provide effective stewardship of resources; trustees be responsible

for establishing the policies that govern the provision of education in their district; trustees be required to act in accordance with board policy, bring the interest of the local community to the board's attention, and communicate and uphold board decisions; and six principles guide the drafting of provincial interest regulations (Governance Review Committee, 2009).

In May 2009 the Ministry of Education introduced Bill 177, the Student Achievement and School Board Governance Act to amend the Education Act. Passed in November 2009 Bill 177 increased the government's powers by stipulating that the government may make regulations governing the roles, responsibilities, powers, and duties of school boards, trustees, and board chairs. A section on school boards' duties and powers was added providing that every board shall promote student outcomes, ensure effective stewardship of resources, and deliver effective and appropriate education programs. Increasing centralization of governance cast the Ministry of Education into the role of quality-control agent responsible for setting policy, goals, and performance standards and for monitoring local compliance and performance in reference to centrally determined criteria. Professional support was provided mainly in the interests of provincially defined goals and standards. The responsibilities of school boards were primarily to carry out provincial policies and to achieve provincial goals. By adding a section on the purpose of education, Bill 177 clearly indicated the goals of the government: Working with partners in the education sector to enhance student achievement and well-being, close gaps in student achievement, and maintain confidence in the province's publicly funded education systems. To make it more consistent across the province, the government issued the Guideline for Fees for Learning Materials and Activities (Ontario Ministry of Education, March 2011) and a Fundraising Guideline to regulate school fundraising activities (Ontario Ministry of Education, 2012b).

### **The Recent Dispute in Collective Bargaining**

One important aspect of education governance is the financing of education. In financing education, the largest expenditure is teacher salaries. Ontario teachers' collective agreements used to be negotiated by school boards and teacher union locals, and there was a concern that trustees seemed unwilling to restrain ever-rising spending and taxation (Bedard & Lawton, 1998). Since Bill 160 in 1997 the province determined the foundation on which the negotiations were conducted (EIC, 2000). As part of the centralizing process, in 2005 the government discussed directly with provincial teacher unions and school board associations in renewing teacher contracts, going around local boards, although legally it was the local boards that should negotiate with union locals in renewing contracts. The government announced a funding package for teacher salary increases, but boards' access to this increased funding was contingent on following provincial guidelines on local agreements. The government also increased some funding to meet teacher unions' specific requests. Basically the government demanded boards and unions to reach new agreements of four years instead of three or two years as in previous negotiations to reduce disruptions caused by labor disputes. The government succeeded in keeping Ontario education in peace for four years. However, some boards claimed that government funding in the line of teacher salaries was not enough to catch up with inflation and they had to use money intended for other areas for teacher compensation. It was reported that one area boards took money from was the allocation for English language learners (Kalinowski, 2006).

In 2008 the government discussed a funding framework for renewing teacher contracts again directly with provincial teacher unions and school board associations to reach agreements for teachers (Rushowy & Ferguson, 2009). Four years later, teachers' collective agreements expired at the end of August 2012. This time the government indicated that it wanted a freeze of teacher salaries for two years because it was dealing with a \$14 billion deficit. The government started talking to provincial teacher unions in February 2012. School boards were



left out of negotiations between the government and unions (Kane, 2013). Of the four teacher unions in the province, Ontario English Catholic Teachers Association (OECTA) and Association des Enseignantes et des Enseignants Franco-Ontariens (AEFO) signed a memorandum of understanding with the government in July (Rushowy & Benzie, 2012) and August (Talaga & Rushowy, 2012), respectively. The Elementary Teachers' Federation of Ontario (ETFO) and the Ontario Secondary School Teachers' Federation (OSSTF), whose members were approximately 60 percent of all Ontario teachers, refused to accept the government's proposal (Ferguson, 2012; Talaga & Aulakh, 2012).

In September the legislature passed Bill 115, Putting Students First Act, which would impose contracts similar to those of OECTA and AEFO members on ETFO and OSSTF members that would freeze salaries for two years and take away teachers' strike right preemptively if ETFO and OSSTF did not reach agreements with school boards by the end of December. No agreement was reached by the end of the year and contracts were imposed on ETFO and OSSTF members in January 2013. ETFO and OSSTF launched a legal challenge against Bill 115, and they were also engaged in other activities of protest. Both ETFO and OSSTF members stopped participating in extra-curricular activities. These protest activities only stopped after a new premier, Kathleen Wynne, took over in February, and made some amendments to the imposed contracts (Ferguson, 2014). Labor peace was restored in April. Throughout the whole process, school boards were shut out of negotiations (Rushowy, Brown, & Ferguson, 2013).

On August 31, 2014, teachers' agreements with school boards expired. This time collective bargaining is conducted under a more formal provincial system passed into law through Bill 122, School Boards Collective Bargaining Act, 2014. The Ministry of Education, ETFO, and Ontario Public School Boards' Association had their preliminary meeting on September 3, 2014. At the time of writing this manuscript, the negotiations continue. What type of role Ontario Public School Boards' Association and Ontario Catholic School Trustees' Association play in

this round of collective bargaining remains to be seen.

### Conclusion and Discussion

The shifts in the relationship between school boards and the Ontario government since 1995 have happened in the North American social-political context. In the United States following the age of the demise of professional accountability, a regime of neo-liberal corporate accountability has dominated the governance of education (Ranson, 2003). In Canada accountability has been the trend for over a decade or longer (Anderson & Ben Jaafar, 2007; Levin, 2005; Levin & Fullan, 2008). Over the last two decades Ontario education governance has gone through a significant transformation in ideas, institutions and practices (Sattler, 2012). This paper provides a brief history of education governance in Ontario and the shifts in the relationship between school boards and the government since 1995. It describes, analyzes, and discusses the changes the Conservatives and Liberals made in the governance of education. The general trend we see in the relationship between school boards and the government is that the government has demanded more accountability from boards, made more regulations, and acted in a more centralized fashion. One purpose of Bill 160 in 1997 was to enhance the accountability of school boards. EIC (2000) claimed that in recent reforms one focus was on developing greater accountability and ensuring more efficient use of resources. In its title Bill 74 in 2000 had the word accountability. "Accountability is a social practice pursuing particular purposes, defined by distinctive relationships and evaluative procedures" (Ranson, 2003, p. 462). Since 1995 the relationship between school boards and the government has changed with increasing accountability of boards. In addition, the purpose of accountability legitimates the creation of detailed regulations that ensures the compliance of practitioners (Ranson, 2003).

With legislation and regulations the government acts as an enforcer to compel school boards to follow provincial policies more closely. The government makes more decisions with regard to education funding and delivery in the

name of consistency, effectiveness, and efficiency. The consistency in an education system is often described as achieved through centralized control, but it can also be achieved as a dynamic outcome of collective dialog and decision-making among stakeholders in the system (Ranson, 2003). However, what has happened in Ontario in the last two decades can be described as consistency achieved through centralized control, from taking away school boards' taxing power with a provincial funding formula under Bill 160 in 1997 to negotiating teacher contracts directly with provincial unions without real participation from school boards under Bill 122 in 2015. Ontario has been part of the Canadian trend in education governance that sees the centralization of power at the provincial level (Galway et al., 2013) and part of the international trend that levers educational reforms through accountability measures (Anderson & Ben Jaafar, 2007).

Although some of the reform initiatives were started by the New Democratic Party government before 1995 (Anderson & Ben Jaafar, 2007; Manzer, 1994; Sattler, 2012), the Conservatives made more significant changes, and the Liberals have continued in the same direction, albeit generally with a more collaborative approach. These changes have increased accountability in Ontario education governance. Ranson (2003) pointed out that the regime of target-setting accountability has been erecting centralized bureaucratic control. Increasing accountability in Ontario, coupled with greater funding from the provincial government, has made the governance of education more centralized and has created a regime of regulation.

Will Ontario school boards regain some of the powers they have lost since 1995? Based on the empirical analysis of changes that have transpired in the last two decades, the current education revenue sources, and the national and international trends (Anderson & Ben Jaafar, 2007; Ouston, Fidler, & Earley, 1998; Ranson, 2003), it seems that the government will keep its increased powers as it provides more funding to education than local municipalities (I. Gordon, Data Analyst, Special Education Policy & Programs Branch, Ontario Ministry of Education, personal communication, August 16, 2012). To

regain their powers, school boards have to regain their taxing power and increase property tax, which is not very likely to happen under the current political and economic circumstances. What is presented in this paper confirms Sattler's (2012) claim that there were more accountability, more regulations, and more centralization in Ontario education in the last two decades. Shifts in the locus of responsibility for education provision and accountability (e.g., centralization of governance, control over education finances, quality control versus support functions of central administration) is one of the four major policy trends across Canada (Anderson & Ben Jaafar, 2007).

The shifts in the relationship between school boards and the government since 1995 have increased accountability in education governance, there are more provincially designed regulations, and decision making is more centralized. There is more consistency across the province, but it is not clear whether the provision of education has become more effective and more efficient. The world changes, society changes, citizens' attitudes change, and the governance of education in Ontario is likely to change accordingly. There are still large inequalities in learning outcomes, and for public education much more is possible (Levin, 2010). How education governance evolves in the future will be determined by the importance Ontarians place on education, what they consider the education system should do, what they believe the most equitable, effective, and efficient way of providing education is, what an economic situation they are in, and what the national and international trends are. Having a clear understanding of what has happened in the recent past may help anticipating what is likely to happen in the future.

#### **Author Bio**

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