



Audit Committee Agenda

AC:003A

Monday, March 22, 2021

4:00 p.m.

Electronic Meeting

Trustee Members

Robin Pilkey (Chair), Michelle Aarts, James Li, David Smith

External Members

Joyee Chau, Ian MacKay, Mary Preece

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1. Call to Order and Acknowledgement of Traditional Lands	
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To be presented	
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7. For Information Only

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8. Private Matters

Separate Document (AC:003B)

9. Adjournment

Acknowledgement of Traditional Lands

I would like to acknowledge that this meeting is situated upon traditional territories. These territories include the Wendat, the Anishinabek (ANISHINABEK) Nation, the Haudenosaunee (HOE DENA SHOW NEE) Confederacy, the Mississaugas of the New Credit and the Métis Nation. I would also recognize the enduring presence of Aboriginal peoples on this land.

Committee Mandate

- (i) To consider and make recommendations to the Board on finance matters, including procurement and contract awards, referred to it for consideration.
- (ii) To review the impact of enrolment and policy change on the Board's budget, including reviewing the impact of enrolment trends, and marketing strategies to bolster enrolment in declining areas of the city; and
- (iii) To consider strategies to balance the capital and operating budget over a multi-year period, and to make recommendations to the Board to balance the annual capital and operating budget.

Audit Committee

Draft Minutes

22 February 2021

An electronic meeting of the Audit Committee was convened at 4:02 p.m. on Monday, 22 February 2021, with Robin Pilkey presiding.

The following committee members were present: Trustees Robin Pilkey (Chair), Michelle Aarts, James Li, and David Smith

The following external members were present: Mark Hughes, Ian MacKay, and Mary Preece

The following individuals were present in the audience: Daniel Nortes, Tyler Raponi, Cassandra Alviani-Alvarez, Mun Shu Wong, Marisa Chiu, Wasif Hussain, Lisa Dilworth, Wendy Heis, Lilian Cheung, Leola Pon, Paula Hatt, Peter Singh, Krish Chakraborty, Pina Colavecchia, Domenic Giorgi, Maia Puccetti, Brandie Waldriff, Courtney Lewis, Craig Snider, Uton Robinson, Rita Simmons, Elizabeth Addo, Lorraine Linton, Audley Salmon, Andrew Gold, Erin Altosaar

1. Approval of the Agenda

Mark Hughes moved & 2nd by Mary Preece the Approval of the Agenda

The motion was carried.

2. Declarations of Possible Conflict of Interest

No conflicts were declared.

3. Approval of Meeting Minutes

Ian Mackay moved & 2nd by Mark Hughes approval of the meeting minutes of **December 7, 2020 subject to the correction of attendance record incorrectly reflected that Ian Mackay attended the meeting. Ian Mackay did not attend that meeting and the amended record will reflect that regrets were received for Mr. Mackay.**

The motion was carried.

4. Chair's Update – External Member Recruitment Update

The Committee heard an update from the Chair on the status of the external member recruitment. During the recruitment process; 100 applications were received. Following interviews, a candidate was selected with the recommendation of the new member scheduled to be considered by the Board of Trustees at its next regular meeting on March 10, 2021.

5. Internal Audit Department Status and Engagement Update, February 2021 [4029]

The Committee considered a report from staff (see AC:002A, page 7), presenting an update on the current status of Internal Audit engagements. This item was presented to the committee by the following staff: Marisa Chiu & Wasif Hussain. The Committee heard and discussed:

- Given the cancelling of the mobile device audit; staff were asked whether monitoring of this area will continue. Staff replied and indicated that monitoring is continuing indicating that each mobile service provider provides their own monitoring reports.
- Staff were asked to comment on plans for enhanced training or updates for school office staff in this area of non-board funds. Staff replied by indicating that training sessions for office staff and school councils do already take place on this topic. Finance support officers take responsibility for these accounts and work with school-based staff on their accounts and how to correctly receive and report on such funds.
- In follow-up staff were also asked if there was a formal reconciliation of these funds – once deposited and then correspondingly spent. Staff responded by indicating that there are PSAB reporting requirement that takes place annually and additionally that these funds are reported as part of the board financial statements. There is a school generated funds procedure that provide direction to schools and a fund-raising plan must be created every year outlining what fund raising is intended as well as how they are to be spent in the school year.
- Staff were asked if there was consideration by staff to create a response process to management recommendations and a measurable plan, if the recommendations of internal audit are being agreed to (what gets measured gets done). Staff indicated going forward that such a matrix will be included in future reports.
- In relation to the P-Card audit, staff were asked to comment on P-Card use as a means to possibly avoid what may be perceived as a cumbersome purchasing process and whether there is intent to further examine and possibly seek to simplify the purchasing process. Staff remarked that there is a continuing trend of declining p-card use. Additionally, cycle time for purchasing has been streamlined with the advent of board cell phones being able to complete goods receipt.

Mark Hughes moved & 2nd by Trustee Aarts: **That the Audit Committee RECOMMENDS that the Internal Audit Department Update – February 2021 be received.**

The motion was carried.

6. Regional Internal Audit Team Engagement and Status Update [4030]

The Committee considered a report from staff (see AC:002A, page 63), presenting an engagement and status update from the Regional Internal Audit team. This item was presented to the committee by the following staff: Paula Hatt. The Committee heard and discussed:

- Staff were asked to comment around the timing of when certain audits would be coming forward to the committee for consideration. In response the committee heard that: 1) The benchmarking report will be ready for the March 2021 audit meeting; 2) The accounts payable audit is targeted for the June 2021 audit meeting; 3) The engagement related to follow-up audit activities is being planned for the June 2021 audit committee meeting.

Trustee Smith moved & 2nd by Mary Preece; **That the Regional Internal Audit Team (RIAT) Engagement and Status Update be received.**

The motion was carried.

7. Audit Committee O. Reg 361/10 Requirements – Work Tracker [4031]

The Committee considered a report from staff (see AC:002A, page 83), presenting the work tracker checklist of the O. Reg. 361/10 requirements to assist with the planning of Audit Committee activities and meeting agendas. This item was presented to the committee by the following staff: Wasif Hussain. The Committee heard and discussed:

- There was no direct discussion of this matter

Mark Hughes moved & 2nd by Mary Preece: **That the Audit Committee RECOMMENDS that the Audit Committee O.Reg 361/10 Requirements – Work Tracker report be received.**

The motion was carried.

8. Consideration of Private Items

At 5:52 p.m. Mark Hughes moved & 2nd by Trustee Li: **That the meeting be moved into PRIVATE.**

The motion was carried.

Robin Pilkey
Chair

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Auditor General of Ontario – Curriculum Audit (December 2020) Update

To: Audit Committee

Date: 22 March, 2021

Report No.: 03-21-4049

Strategic Directions

- Transform Student Learning
- Provide Equity of Access to Learning Opportunities for All Students
- Allocate Human and Financial Resources Strategically to Support Student Needs

Recommendation

It is recommended that the Auditor General of Ontario – Curriculum Audit (December 2020) Update be received.

Context

Summary:

In January 2020, the Office of Auditor General of Ontario (OAGO) began a Curriculum Audit with the objective to assess whether the Ministry of Education (EDU) has effective systems and processes to develop current, relevant and developmentally appropriate curriculum; and, in conjunction with School Boards, oversee consistent curricula implementation across the province and assess students against curricula expectations consistently across the province.

To assess the implementation and assessment processes at the school level, OAGO engaged four school boards, including Toronto District School Board, Catholic District School Board of Eastern Ontario, District School Board of Ontario North East and Near North District School Board. In addition, key stakeholders were surveyed and, working with various unions, a survey was issued to teachers in the province with over 8,000 responses being received.

Although the audit primarily focused on EDU, there were two recommendations (#4&8) put forth for which TDSB provided responses. The recommendations centered on Principal or Vice-Principal review of annual long-range plans, including a sample of

lesson plans (#4) and tracking textbooks purchased by schools to determine if bulk purchases at the Board level would lower overall costs (#8). EDU will be responding to all other OAGO recommendations.

Detailed Findings:

In Ontario, EDU is responsible for developing the curriculum to be taught to students and assessment policies to be used by teachers and educators. Each school board is responsible for ensuring schools are appropriately implementing the curriculum and assessment policies. Principals are responsible for supervising and evaluating teachers' performance in both providing the appropriate instruction for their students and assessing and evaluating student work and progress. Teachers are responsible for developing appropriate instructional strategies to help students achieve curriculum expectations.

Of the 15 recommendations, seven related to school boards, however only two required responses as indicated above. EDU will be responding to the remaining recommendations. Observations included:

- EDU and school boards do not have a formal oversight process to assess if curricula are being consistently implemented across the Province.
 - One recommendation applicable to school boards (#4).
- Training on implementation of new or revised curriculum is not reaching enough teachers in a timely manner.
 - EDU released new/revised curriculum with little lead time for school board implementation, the OAGO found that four of five recently released curricula, lead time ranged from 3 months to 10 days before the start of school.
- Many textbooks are old and contain outdated material and / or information no longer relevant to students.
 - EDU maintains a list of approved textbooks for most subject and courses (Trillium List) and educational resources (EduGAINS), however EDU and school boards do not track utilization of textbooks.
 - One recommendation applicable to school boards (#8).
- EDU and school boards do not provide the necessary oversight to ensure consistent assessment of students.
- EDU did not provide clear expectations for remote instruction.
- 2019/2020 curriculum not fully implemented, leaving learning gaps that will need to be addressed.
- Inconsistent assessment and evaluation of student learning during school shutdowns.

Action Plan and Associated Timeline

TDSB provided responses to address the two recommendations with implementation to be ready for the 2021 school year.

Resource Implications

No additional resource implications are anticipated to address the two recommendations brought forth by the OAGO.

Communications Considerations

Included in public minutes.

Board Policy and Procedure Reference(s)

P022 Early Learning and Care, P038 Transforming Student Learning in Literacy and Mathematics, P040 Accountability for Student Achievement, O.Reg 361/10 and Auditor General Act of Ontario are applicable.

Appendices

- Appendix A: Auditor General of Ontario Curriculum Audit Report

From

Andrew Gold, Associate Director, Leadership, Learning, and School Improvement at Andrew.Gold@tdsb.on.ca or at 416-397-3069



Office of the Auditor General of Ontario

Value-for-Money Audit
Curriculum
Development,
Implementation
and Delivery



December 2020

Ministry of Education

Curriculum Development, Implementation and Delivery

1.0 Summary

The goal of the Ministry of Education (Ministry) is that students acquire the skills and knowledge they need to reach their full potential. Accomplishing this goal requires curricula that are current, relevant, balanced, developmentally appropriate and coherent from Kindergarten to Grade 12, and are developed based on inter-jurisdictional and pedagogical research and consultations with sector partners and other key stakeholders.

The Ministry is responsible for developing the curricula to be taught to students and assessment policies to be used by educators. School boards are responsible for ensuring that their staff are implementing all curriculum expectations. Teachers are responsible for developing appropriate instructional strategies to help students achieve the curriculum expectations contained in the curriculum documents, and for developing appropriate methods for assessing, evaluating and reporting student achievement of the expectations, while principals supervise and evaluate the performance of teachers in this regard.

A substantial portion of the current curricula in Ontario was developed many years ago. In fact, 15% of curricula subjects taught in the province were developed and put into practice at least 15 years ago (2005 or prior), and an additional 51%

were released between 10 and 14 years ago (from 2006 to 2010). In most cases, the Ministry follows the steps in its review and revision process when revising or developing curricula and develops curriculum based on the research it conducts and the input it receives. However, it bases its decision on when to revise the curriculum on feedback from stakeholders and informal consideration of trends in the subject area.

We also found that there are no formal processes in place at the Ministry, school boards or schools to provide assurance that all curricula are being taught effectively across the entire school system. Although school administrators and curriculum leads (experienced teachers selected to support other teachers in implementing and assessing the curriculum, and co-ordinating staff, budget and resources in their department) undertake several informal actions, such as providing input into lesson plans and assessments, we found that there were no consistent systematic processes at the school level to make sure that the curriculum was being implemented effectively and that students were learning the entire curriculum. Since curriculum leads are also teachers, under their collective bargaining agreement they cannot direct another teacher to take a certain action, evaluate a colleague in any way or make sure that teachers in their departments are implementing the curriculum and assessing students appropriately. Moreover, the Ministry's lack of clarity

and specificity in its policy on student classroom assessment has created opportunities for variation in application of the policy resulting in inconsistent evaluation of students.

During COVID-19, we noted issues with curriculum delivery and student assessment. But we also noted that the ministry made advancements in digital learning including digitization of the new math curriculum and online content for various subjects, training for teachers on remote learning, and provisions for technology for students. The Ministry provided funding to school boards to secure technological devices, such as laptops and tablets for students. The Ministry also provided training to teachers in the spring of 2020 and introduced a mandatory professional development day for all teachers on remote learning at the start of the 2020/21 school year.

Some of our significant audit findings include:

- **Curriculum was released without sufficient time for school boards and schools to review it and for teachers to prepare instructional materials and resources to properly implement it.** We found four of the five most recently released curricula were released with little time for schools to prepare for their effective implementation. For example, the Health and Physical Education Elementary 2019 curriculum was released on August 21, 2019, just 10 days before schools were required to implement it on September 3, 2019, and the Mathematics Elementary 2020 curriculum was released at the end of June 2020, only two months before the target implementation date of September 2020. Most of the school boards we spoke to said they would prefer six months to one year from the time a new curriculum is released to be required to implement it. In contrast to the short timeline in Ontario between the release of new curriculum and its targeted implementation date, other provinces we contacted informed us that they pilot new curriculum for a period of 12 months before

requiring full implementation. In a survey we conducted of teachers, the majority (73%) indicated that for the eight curricula released between 2017 and 2020, which they were responsible to implement, they had not been provided with enough time to understand and prepare for it. Moreover, 43% of teachers indicated that to effectively implement a new or revised curriculum in their class would typically require the curriculum to be released at least six months prior to implementation.

- **Ministry does not always provide training to educators prior to releasing new or revised curriculum.** For the five most recently released curricula, the Ministry had not provided training to school boards and school staff for two curricula: Grade 10 Career Studies 2019 and First Nations, Métis, and Inuit Studies Secondary 2019. A majority of the teachers we surveyed, who were responsible for teaching any of the eight curricula released between 2017 and 2020, responded they did not receive training specific to the implementation of these new or revised curricula. Across the eight curricula, 57% did not receive training. Additionally, of those who did receive training, only 8% responded that it was useful, or very useful.
- **Ministry did not always perform critical stages of its process for curriculum revision.** For the five most recently revised curricula, we reviewed the Ministry's review process to develop a current, relevant and developmentally appropriate curriculum. We found instances where the Ministry did not adhere to its stated curriculum review process. Prior to development, the Ministry had not obtained all stakeholder input or provided sufficient time to allow for proper fact-checking while revising the Health and Physical Education curriculum released in 2019. As well, the Ministry had not obtained current research and analysis while developing the

First Nations, Métis and Inuit Studies Secondary curriculum, also released in 2019.

- **Ministry and school boards rarely solicited teacher feedback on teaching resources to identify which resources most educators found not to be useful.** The Ministry surveyed educators on the usefulness of resources for the math curriculum in 2014 and, to a lesser extent, in 2017/18, as part of a survey on its 2016 renewed math strategy. Further, the Ministry has not taken steps to address the concerns raised with its math resources, or to evaluate the usefulness of resources for other curricula. Our other concerns in relation to teaching resources include teachers being unaware that resources existed or how to access them.
- **Many textbooks are old and not relevant or relatable to students.** Several Ontario curricula have not been revised for over a decade and many of the corresponding textbooks on the Ministry's list of approved books are just as old. For example, Grades 9 and 10 math textbooks have been on the list for use for an average of 15 years since they were initially approved, and Grades 11 and 12 math textbooks have been on the list for an average of 12 years since they were initially approved. Although these textbooks covered 85% of the curriculum content at the time they were last revised for the relevant subjects, they do not always reflect current social, political and environmental issues. Examples in the textbooks are also outdated in some cases. Information that is outdated and not appropriate for students from diverse backgrounds and at different levels of ability does not promote understanding, and will require the teacher to supplement the textbooks with other resources. Although 43% of teachers who responded to our survey indicated that they were not provided with textbooks for the classes they teach, 61% who were provided

with textbooks said the textbooks were not current and relevant to the curriculum.

- **Ministry policy on student assessment does not clearly define the levels of achievement students are to be evaluated upon, leading to inconsistent assessment of students.** Although a framework for consistency exists in the Ministry's policy, *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools, Kindergarten to Grade 12, 2010*, the policy does not clearly define the performance standards against which teachers are expected to evaluate their students. The policy relies on the professional judgment of teachers when assessing student performance, including which specific curriculum expectations factor into the instruction and assessment. Although each teacher may have a reasonable basis for the judgment they apply, inconsistencies in student assessment are almost assured. Research commissioned by the Ministry has noted that teachers have a desire for more clarity and guidance on assessment to introduce more consistency to the process. Further, the policy document reflects the state of knowledge about the learning experience at the time it was published 10 years ago. For example, no specific examples are provided about assessment of students in an online/virtual setting.
- **Ontario students perform well on national and international assessments, but performance results are stagnating.** While Ontario performs well on national and international assessments, it has not been able to increase the proportion of students meeting baseline levels of achievement in these assessments. Over the last five test cycles of the Programme for International Student Assessment (PISA), which tests 15-year-olds in reading, math and science, Ontario's results have shown a steady decline in all three subjects tested going back to 2006 (except for a slight increase in math between the 2015 and 2018

assessments). Similarly, in national assessments through the Pan-Canadian Assessment Program (PCAP), which tests Grade 8 students in reading, math and science, Ontario performed well compared to other Canadian jurisdictions in the most recent assessment in 2016. However, performance in all three subjects tested has declined or stagnated going back 10 years to 2010. The Ministry did not have a reason why Ontario's performance has slightly declined and not improved over the last 10 years.

- **Province-wide student assessments (EQAO) test only two subject areas and do not provide a good measure of overall learning achieved by students across the province or within school boards.** Assessments by the Education Quality and Accountability Office (EQAO)—a crown agency of the Province—test reading, writing and mathematics. This accounts for only two subject areas (language and math) of the seven mandatory subject areas offered in elementary schools and 18 subject areas offered in secondary schools. Further, assessments occur at four intervals in the span of a student's 12- to 14-year public schooling, but no standardized testing is scheduled in the student's senior years, Grades 11 or 12. We noted that all other Canadian provinces have standardized provincial assessments in select subjects and grades. However, in many cases, the tests are conducted in a student's senior high school year, and the result of a test counts to some degree toward the student's final mark. For example, in Manitoba, Grade 12 students are assessed in both English (or French) and math and these province-wide assessments count for 30% of a student's final course grade in those subjects. This brings value in ensuring that students graduate from the public education system with a consistent basis of knowledge.

- **EQAO assessment results are declining, particularly in math, but the reasons remain unknown to the Ministry.** Over the last five years, provincial EQAO results for most assessments have either declined or stagnated. The exceptions are Grades 3 and 6 reading and Grade 6 writing, which have shown a slight improvement. Students in Ontario have been performing below the Ministry's goal of having 75% of all students in the province achieve the provincial standard in Grades 3, 6 and 9 applied math EQAO assessments for many years – since at least 2011/12. The Ministry analyzed the impact of additional funding that it began to provide in 2016 to select school boards with low student achievement in EQAO math results. The analysis found that the additional funding did not appear to make any significant difference in increasing student performance in math at the elementary level, but had a modest impact on student performance in Grade 9 applied math. Further investigation by the EQAO revealed in a March 2019 report showed that students in Grade 3 and Grade 6 have greater knowledge and understanding of fundamental math skills than they have the ability to apply their skills and to think critically about them.
- **Varying levels of student instruction took place during the COVID-19 pandemic, as the Ministry did not provide clarity on all expectations regarding instruction by teachers.** It was not until May 8, 2020, almost two months after schools were initially shut down, that the Ministry provided clarification on its expectations for remote learning. However, the Ministry did not set expectations for the frequency or duration of teacher-led real-time virtual instruction (referred to as synchronous learning). A survey conducted by the Ministry revealed that 29, or 48%, of school boards reported that only half or less than half of their teachers

were offering their students live, real-time instruction on-line, as of May 20, 2020.

- **Assessment policies that grades could not go down, combined with varying levels of student instruction and engagement, resulted in gaps in student learning during the COVID-19 shutdown which now need to be addressed.** On April 3, 2020, the Ministry announced student grades and marks were not to go down from what they were at the start of the closure period on March 13, 2020. As a result, some students did not feel incentivized to continue to be fully engaged in their studies, as indicated in survey conducted by the Toronto District School Board in which 58% of students reported not being interested in their studies and 47% of students said they were not enjoying learning at home. All of the school boards we spoke with anticipated that there would be gaps in student learning beginning in the 2020/21 school year. That is, students will be behind in the curriculum learning expectations they should have gained by the end of the 2019/20 school year. Based on our analysis of second-term report card marks for elementary students, we found that, across all grades, teachers did not obtain enough evidence of student learning to assign a grade. This was the case for social studies, history and geography, media literacy and in four of the five math areas reported on separately where, for at least 37% of students, on average, the teacher reported not having sufficient evidence to evaluate the student. This means that, in the 2020/21 school year, teachers will need to address their students' potential learning gaps, which, due to the pandemic and school closures, are greater than the learning gap that typically occurs over the summer break. At the time of our fieldwork in August 2020, three of the four school boards that we spoke with had not developed any specific new strategies to

help students catch up academically in the 2020/21 school year.

This report contains 15 recommendations, with 29 action items, to address our audit findings.

Overall Conclusion

Our audit concluded that in most cases the Ministry followed the steps in its review and revision process when revising or developing curricula within the last three years. We also found that the Ministry revises or develops curriculum based on the research it conducts and the input it receives. In most respects, the Ministry process of curriculum development is commensurate with steps taken in other Canadian jurisdictions. However, there are instances where steps are fast-tracked or skipped, such as failing to use the most current research and not providing stakeholders and those engaged to fact-check the curriculum with enough time to do the work properly. In addition, the Ministry has not released recent new or revised curriculum documents with sufficient time in advance of implementation to allow for school boards and teachers to have a full understanding and be prepared to effectively deliver the new or revised curriculum.

Our audit also concluded that the Ministry and school boards do not have formal processes to enable them to gain assurance that the curricula are being delivered consistently to a high standard across the province. Nor does the Ministry have assurance or processes to determine that students are being consistently assessed against curriculum-learning expectations.

Although Ontario performs well on international and national assessments, results have been stagnating or, in some cases, declining in recent years. We also found that the curricula in the province are aging, without a formal process to determine when and what should be updated to ensure that Ontario students are learning the most current and relevant material in a world of quickly changing technology and cultural diversity.

OVERALL MINISTRY RESPONSE

The Ministry of Education thanks the Auditor General and her team for recommendations on how we can continue to improve education in Ontario. Curriculum development, implementation and delivery are vital to helping all students develop the knowledge and skills they need to become informed, productive and responsible citizens.

In June, we issued a new elementary math curriculum on a digital platform, which includes learning about coding, financial literacy, and data collection and analysis—so students develop the knowledge and skills needed to succeed in a rapidly changing world. We also launched the Curriculum and Resources website where educators, parents and students can access Ontario’s curriculum and learning resources. This website will continue to develop with new resources and curriculum, while its features and functionality will evolve through user input. We are committed to breaking down barriers for Black, Indigenous and racialized students and providing all students with an equal opportunity to succeed. As part of this action, we are moving forward with no longer permitting streaming in Grade 9 into applied and academic math courses.

While the COVID-19 outbreak has brought numerous challenges, forcing many changes to our schools and our lives, the importance of equity and access to high-quality education for all remains paramount.

The Ministry is leveraging resources, technologies and services to assist school boards in delivering effective remote learning, including additional funding to improve access to technology and approximately 30,000 technological devices for students, and also to hire additional principals, vice principals and administrative staff to better deliver and oversee remote learning.

While supporting students, we are also committed to finding ways to support our educators. We have provided training and resources to help them teach remotely with live webinars and educator training modules. We are also proud to report that over 44,000 educators have participated in over 120 Ministry webinars since the spring. In addition, starting in the 2020/21 school year, we introduced a mandatory PD day for all teachers on remote learning.

These resources and supports will continue to benefit students after we overcome COVID-19 and transition out of the pandemic. This year has been like no other in recent history, and students, communities and industry have all risen to the challenge.

2.0 Background

2.1 Overview

The goal of the Ministry of Education (Ministry) is to have students acquire the skills and knowledge they need to reach their full potential. The cornerstone of accomplishing this goal is a curriculum based on inter-jurisdictional and pedagogical research and consultations and that is current, relevant, balanced, developmentally appropriate and coherent from Kindergarten to Grade 12.

In Ontario, the Ministry is responsible for developing the curriculum to be taught to students and assessment policies to be used by teachers and educators. The curriculum and assessment policies are intended to provide consistent direction to school boards regarding planning, implementing, evaluating and reporting of student learning and achievement. Each school board is responsible for ensuring that schools are appropriately implementing the curriculum and assessment policies.

The term “Ontario curriculum” refers to curriculum policy documents, which contain mandatory learning expectations and optional teaching supports.

To support school boards and schools with the implementation of a new or revised curriculum, up to the 2019/20 school year, the Ministry provided funding through transfer payment agreements to school boards to cover the cost of training for teachers, including the cost of release time for teachers to attend the training; and to external parties to develop resources such as guidance for educators and classroom materials. Beginning in 2020/21, the Ministry will be including an allocation in its annual funding to school boards for curriculum assessment and implementation in place of providing funding through transfer payments.

School boards are responsible for ensuring that their staff comply with implementing all curriculum expectations and helping teachers to improve their teaching practices so that they can deliver the curriculum effectively. Principals are responsible for supervising and evaluating teachers' performance in both providing the appropriate instruction for their students and assessing and evaluating student work and progress. Teachers are responsible for developing appropriate instructional strategies to help students achieve the curriculum expectations, and for developing appropriate methods for assessing and evaluating student achievement of the expectations.

Ontario has 72 publicly funded school boards and about 5,000 schools, with 126,000 full-time equivalent teachers and 2 million students. In the 2019/20 school year, the Ministry offered about 300 courses at the secondary level for each of English-language and French-language instruction. The courses offered at the secondary level are numerous because many are offered at different levels—for Grades 9 and 10, the levels are Open, Applied and Academic; for Grades 11 and 12, the levels are Open, Workplace Preparation, College Preparation, and University Preparation. To obtain an Ontario Secondary School Diploma, among other things, a student needs to obtain 30 course credits, of which 18 are compulsory and 12 optional.

2.1.1 Ontario Curriculum Documents

The Ministry develops a provincial curriculum for each subject in the elementary and secondary levels. The Ontario curriculum documents are broken down in **Figure 1**. For a complete list of curriculum documents, the last revision release date and those planned to be updated see **Appendix 1**.

There is a difference in the number of English-language and French-language curriculum documents. This is because French-language school boards can choose from two different curricula documents when teaching the English language, depending on the student's familiarity with the English language (one in each of the elementary and secondary levels). Also, there are additional curricula documents for teaching French to newcomers (one at the elementary level) and for those who need support with second-language acquisition (one in each of the elementary and secondary levels). With respect to newcomers, in the English-language system, there is no separate elementary curriculum for newcomers to learn English as a second language. Instead, the Ministry sets out policies and procedures for school boards to develop programs and supports for English language learners in English-language elementary and secondary schools.

Curriculum documents consist of curriculum expectations and curriculum supports. Curriculum expectations describe the knowledge and skills students are expected to acquire, demonstrate and apply by the end of each grade for each subject and course, and on which a student's achievement is to be assessed and evaluated. There are two sets

Figure 1: Number of Ontario Curricula by Grade Level and Language

Source of data: Ministry of Education

	English	French	Total
Kindergarten	1	1	2
Elementary, Grades 1–8	8	11	19
Secondary, Grades 9–12	29	32	61
Total	38	44	82

of curriculum expectations associated with each course in a subject at the secondary level and by subject at the elementary level:

- Overall Expectations — describe in general terms the knowledge and skills that students are expected to demonstrate by the end of each grade or course.
- Specific Expectations — describe the expected knowledge and skills in greater detail.

Teaching supports are components of the curriculum meant to provide teachers with information and examples that illustrate the intended depth and complexity of the expectations. Examples of teaching supports include clarification of key terms or concepts, and sample dialogue between a teacher and student.

Modification of Curriculum for Students with Special Education Needs

In the case of students with special education needs, each school board has procedures in place to identify students who may need special education programs and/or services. An individual education plan must be developed for each child who has been identified as exceptional by the school board's Identification, Placement and Review Committee. An individual education plan can also be prepared for students with special needs who have not been identified by the committee. An individual education plan describes the special education program and services required by a student, including any accommodations, modified expectations and/or alternative expectations or programs.

At the school level, the principal is responsible for programs and services for children entering the school and for ensuring that an individual education plan that conforms to Ministry standards is completed for each child who has been identified as exceptional by the Identification, Placement and Review Committee. An individual education plan is created through collaboration with the student's parents, school staff, other professionals involved

with the student, and the student, if older than 15. The individual education plan identifies the teaching strategies specific to modified and alternative expectations, and assessment methods to be used to determine the student's progress towards achieving these expectations. In the 2019/20 school year, there were 348,000 students with an individual education plan. Of the teachers who responded to our survey, 87% indicated that in their classes they teach both students with and without special needs.

English Language Learners

English language learners are students who's first language is a language other than English or is a variety of English that is significantly different from that used for instruction in Ontario's schools. It is up to the student's teacher to accommodate for this in their classroom. Every curriculum document has a section on supporting English language learners. For example, the elementary language curriculum includes a section on Planning Language Programs for English language learners which discusses how teachers must adapt the instructional program to facilitate student success. The Ministry also develops guides on how to support English language learners. These guides are not part of the curriculum, but are designed to support teachers. The guides include practical techniques, research findings and strategies that can be put to immediate use in the classroom.

2.1.2 Curriculum Review Process

The Ministry's curriculum review process is intended to ensure that the curriculum remains current and relevant and is developmentally appropriate in all subjects from Kindergarten to Grade 12.

The Ministry initiated its curriculum review process in 2003. A review typically takes from three to five years from when it is initiated to when the new curriculum is released and implemented in schools, depending on whether it is a full or focused

Figure 2: Curriculum Review Process

Source of data: Ministry of Education

Process Steps	Description
Research	<ul style="list-style-type: none"> • Technical analysis • Benchmarking • Jurisdictional scan
Engagement	<ul style="list-style-type: none"> • Educators, subject/division associations, federations, post-secondary institutions, industry • Parents and students • Ministry of Education divisions and other ministries • Indigenous partners • Community stakeholders and others
Writing	<ul style="list-style-type: none"> • Writing team is developed and drafts revised curriculum in English and French • Internal education officers guide the writing process
Editing	<ul style="list-style-type: none"> • Editing in English and French through a continual process with communications team and education officers • Draft shared with writers and key stakeholders for feedback
Fact Check	<ul style="list-style-type: none"> • In the later stage of editing, the document undergoes review by external academic experts • External stakeholder review • Editing continues as an iterative process
Finalize	<ul style="list-style-type: none"> • Minister approvals • Compliance with the <i>Accessibility for Ontarians with Disabilities Act, 2005</i> • Issue revised curriculum on digital platform
Implement	<ul style="list-style-type: none"> • Funding • Professional learning and resources supports

review and the complexity of the subject. The length of time to complete each step in the process also varies based on those factors. Various phases of the development process may overlap or be revisited at numerous times throughout the review, as necessary. For example, if new research or topics arise after the writing phase begins, the Ministry may still consider and incorporate any changes, as necessary. According to the Ministry, a curriculum is developed with a shelf life of 10 to 15 years. The review process involves several key steps and stages as shown and described in **Figure 2**.

2.1.3 Implementation and Delivery of Curriculum

Under the direction of their school board and school, teachers are to plan units of study, develop a variety of teaching approaches, and select

appropriate resources to address the curriculum expectations, while taking into consideration the needs and abilities of the students in their classes.

School boards are responsible for ensuring that their staff comply with provincial policy on education, including implementing all curriculum expectations and helping teachers to improve their teaching practices so that they can deliver the curriculum effectively. Principals are responsible for supervising and evaluating the performance of teachers in both providing appropriate instruction to their students and evaluating student work and progress.

Many factors outside of the curriculum also have an impact on how well students are able to learn. As noted in our 2017 audit report, *School Boards' Management of Financial and Human Resources*, a Ministry-funded study by the Canadian Education Association in 2010 found that teachers can teach more competently and effectively in smaller classes,

and students can learn more academically and socially and be more engaged and less disruptive in smaller classes. Further, social and economic factors can also have a significant impact on student learning, including being from low-income households, having immigrated from a non-English-speaking country within the last five years, having parents with low levels of education, and living in single-parent households. The Ministry has acknowledged these factors and provides additional funding to school boards with the largest number of students who are at risk of poor academic achievement due to social and economic factors.

Evaluation of Teacher Performance

Principals are responsible for conducting performance appraisals of all teachers assigned to their school. The teacher is evaluated on 16 competencies listed in the Ontario College of Teachers' *Standards of Practice for the Teaching Profession*, which describes the skills, knowledge and attitudes that teachers must reflect in their teaching practice. New teachers are evaluated on the eight competencies considered most important. The evaluation process also includes classroom observation of the teacher by the principal. The process culminates with a summative report to the teacher of the appraisal including feedback and opportunities for growth and a rating that reflects the principal's assessment of a teacher's overall performance.

Experienced teachers receive a rating of either satisfactory or unsatisfactory, while new teachers can be rated as satisfactory, development needed or unsatisfactory. A principal must develop a plan for improvement and conduct an additional performance appraisal within 12 months in cases where a new teacher is rated as development needed. Where teachers are rated as unsatisfactory (either new or experienced), the principal is to give the teacher an improvement plan that provides a written explanation of what is lacking in their performance and sets out the recommended steps and actions the teacher should take to improve it.

New teachers must be appraised twice in the first 12 months of teaching, whereas experienced teachers are appraised once every five years. A teacher is considered new for the first 24 months of being hired into a permanent position by a school board, or until they complete the New Teacher Induction Program. For the 2020/21 school year, performance appraisals for experienced teachers were temporarily paused to allow school boards to focus on new teachers. This means that the 2020/21 evaluation year for experienced teachers is delayed to 2021/22, and subsequent evaluation years are also delayed by one year. A principal may also conduct additional appraisals if he or she considers it advisable to do so in light of circumstances related to a teacher's performance.

The Ministry requires school boards to provide mandatory professional support for new permanent teachers through the New Teacher Induction Program (NTIP), to help teachers develop the required skills and knowledge to become an effective teacher in Ontario. The NTIP is a mentorship program in which a newly appointed teacher is matched with an experienced teacher working in the same school. According to the Ministry, as part of this program, staff and principals or vice-principals are to also engage in discussions about effective teaching strategies, content (curriculum expectations) and assessment practices. The program is intended to allow a new teacher to build a network of supports with other teachers and the principal or vice-principal, through which intentional sharing is encouraged. The principal is responsible for reviewing and signing off on the new teacher's individual NTIP strategy (which includes the new teacher's goals and strategies).

2.1.4 Assessment of Student Learning

The province's key policy documents regarding the assessment, evaluation and reporting of student learning are:

- *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools, 2010*; and

- *Growing Success—The Kindergarten Addendum: Assessment, Evaluation, and Reporting in Ontario Schools, 2016.*
- *Growing Success: The Mathematics Addendum, Grades 1 to 8, 2020* (released October 2020)

How well students have developed proficiency in the Ontario curricula is based almost entirely on classroom assessment and evaluation. For select subjects, provincial standardized testing, which is carried out by the Education Quality and Accountability Office (EQAO)—a crown agency of the Province established in 1996—is used to provide a picture of the level of student achievement across the province.

Classroom Assessments

Classroom assessment and evaluation strategies are developed and implemented by classroom teachers to determine and inform their students and parents of the student's achievement. Curriculum documents include an achievement chart which is intended to guide teachers on how to grade students. Teachers are to use the charts to judge whether a student demonstrates limited/some/considerable/thorough knowledge of content or understanding of concepts.

It is up to the professional judgment of the teacher to determine the form, frequency and weighting of assignments and tests to arrive at student grades. The Ministry does provide the following parameters in its assessment policy, *Growing Success*. For Grade 9 to 12 students, a final grade (percentage mark) is determined for every course as follows:

- 70% of the grade will be based on evaluation conducted throughout the course. This portion of the grade should reflect the student's most consistent level of achievement throughout the course, although special consideration should be given to more recent evidence of achievement.
- 30% of the grade will be based on a final evaluation administered at or toward the end

of the course. This evaluation is to be based on evidence from one or a combination of the following: an examination, a performance, an essay, and/or another method of evaluation suitable to the course content. The final evaluation allows the student an opportunity to demonstrate comprehensive achievement of the overall expectations for the course.

Province-Wide Assessments

Province-wide assessments are administered by the EQAO. It conducts annual assessments of the following:

- reading, writing and mathematics for primary division (Grade 3);
- reading, writing and mathematics for junior division (Grade 6);
- math for Grade 9; and
- the Ontario Secondary School Literacy Test (OSSLT) in Grade 10.

According to the Ministry, these areas of the curriculum and grades were chosen as it believed that proficiency in these three areas supports learning in all other subject areas. The assessments are at key stages (grades 3, 6, 9 and 10) and the timing of the assessments is designed to allow sufficient time for teachers to respond to and remediate challenges identified in individual student results.

The assessments (or EQAO tests, as they are most commonly referred to) contain questions requiring written responses and multiple-choice questions. Each question is mapped to a learning expectation contained in the respective curriculum documents. The EQAO tests are written in a paper format and are scored by educators who have successfully completed specific training requirements.

EQAO tests evaluate student achievement in relation to four levels of performance (levels 1 to 4, with 4 being the highest). To meet the provincial standard, a student must achieve a level 3, which is equivalent to a B grade. The Ministry's objective is for students in the province to achieve level 3 or higher.

Students are required to successfully pass the OSSLT with a grade of 75% or more to receive their Ontario Secondary School Diploma. A student who is unsuccessful on their first attempt may retake the test. If unsuccessful again, the student will need to take and pass the Ontario Secondary School Literacy Course offered by their high school prior to the end of Grade 12 to complete the graduation requirement.

EQAO results over the last 10 years for each assessment are shown in **Figure 3**.

During the 2020/21 school year, the Grade 9 math EQAO assessment will be piloted in an on-line format. The Grade 3 and Grade 6 assessments will not be held in 2020/21 due to COVID-19 and to allow for the implementation of the new Elementary Math curriculum. The Ministry has also waived the literacy graduation requirement (OSSLT) for all students graduating during the 2020-21 school year.

National and International Student Assessment

Ontario students regularly participate in one national and three international assessments in order to assess the skills and competencies of Ontario's students compared to those in other jurisdictions. The EQAO co-ordinates Ontario's participation in national and international assessments.

Student selection for the assessments is based on a two-stage stratified random sample. The first stage is to select a sample of schools in which students of the grade or age of interest are to be assessed from each participating jurisdiction (these schools can be public or private) based on several geographic and demographic factors. In the second stage, for one of the assessments (PISA), students are randomly selected from the sample of schools to participate in the assessment. For the other three assessments (PCAP, PIRLS and TIMSS), intact classes within the selected schools are randomly selected to write the exam. Factors on which students can be excluded from the selection include

functional disabilities, intellectual disabilities and limited proficiency in the assessment language.

See **Appendix 2** for the four types of national and international assessments in which Ontario students participate.

Appendix 3 shows Ontario's performance in the latest national and international assessments.

2.1.5 Online Delivery of Some of the Curriculum

In addition to in-class learning that takes place in schools, the other primary form of curriculum delivery is through online courses, in which students earn credits toward graduation. This system was in place before school closures due to COVID. In the 2019/20 school year, school boards offered 127 English-language and 109 French-language online courses based on Ontario's approved secondary school curricula through the Ministry's learning management system, called the Virtual Learning Environment (also known as BrightSpace). This digital learning platform is funded by the Ministry and available to all publicly funded school boards at no cost. The platform provides teachers with the content for use in online program delivery, including course templates, assignments, scoring guides (rubrics), lessons linked to curriculum expectations, and quizzes. All public-school teachers have access to the virtual learning environment. The virtual learning environment is used to deliver online learning courses, blended learning and other digital resources for Ontario students, educators and board and Ministry staff. Of these online courses, 32 English-language and 31 French-language online courses satisfy the 18 compulsory credits required to graduate high school in Ontario.

In 2018/19, 29% of the 133,000 students who graduated earned at least one credit through online learning. The number of students who had chosen to earn credits through online learning was not available for the 2019/20 school year at the time of our audit as the Ministry extended the due date for school boards to submit this data so they could

Figure 3: Percentage of Student Writers that Achieved the Provincial Standard¹ on Province-Wide Tests Administered by the Education Quality and Accountability Office (EQAO), School Years 2009/10–2018/19²

Source of data: Ministry of Education

	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15 ³	2015/16	2016/17	2017/18	2018/19
Grade 3										
Reading	65	68	69	71	72	n/a	75	77	78	78
Writing	73	76	78	79	80	n/a	77	76	75	72
Math	73	71	71	69	69	n/a	66	65	63	61
Grade 6										
Reading	74	76	78	79	81	n/a	83	84	85	84
Writing	73	75	77	79	80	n/a	82	82	82	84
Math	64	61	61	59	57	n/a	53	53	52	52
Grade 9										
Academic Math ⁴	82	83	84	85	85	n/a	84	84	85	85
Applied Math ⁴	42	44	47	46	49	n/a	47	46	47	47
Grade 10										
Ontario Secondary School Literacy Test (OSSLT) ⁵	79	77	76	76	77	77	76	76	74	75

Note: Percentages in bold are above the provincial standard of 75%.

1. EQAO results show the percentage of students that achieve a level of 3 or 4, at or above the provincial standard, respectively.
2. EQAO tests were not conducted in the 2019/20 school year as a result of school closures due to COVID-19.
3. Province-wide data for 2014/15 is unavailable. Due to labour disruptions during the 2014/15 school year, a significant proportion of schools did not participate in EQAO testing.
4. Academic math focuses on core subject content and the theory behind it. Applied math stresses practical, concrete application of concepts and focuses on hands-on activities.
5. The OSSLT is the only EQAO test that has repeat writers because students have to pass this test to get their high school diploma. The results for all attempts are combined.

focus efforts on a return to school following closure due to COVID-19.

Controls over the delivery of online courses generally require an external proctor to administer mandatory in-person exams. Further, when registering for online courses, students at boards we spoke with are typically registered by their home school guidance counsellor, and there may be supervised rooms available for students during the school day to complete online courses should they choose to do them while at school. Students can also do their courses remotely. Guidance counsellors, student success teachers, administration, an eLearning co-ordinator and the course teacher are all points of contact and support for the students.

2.1.6 Delivery of Education during COVID-19

Learning during School Closures in Response to the COVID-19 Pandemic

Most recently, due to school closures resulting from emergency measures put in place by the Province on March 16, 2020 to curtail the spread of COVID-19, the Ministry provided a continuation of student learning in two phases:

- Phase 1 involved the Ministry, in partnership with TVO, offering elementary resources and television programming to help young students learn at home through entertaining activities and content. TVO also offered Mathify (real-time math tutoring led by Ontario College of Teachers educators) for students between Grades 6 and 10, and provided free access to the content of its online courses for secondary students. Secondary school activities and resources were designed with a focus on science, technology, engineering and math, and to ensure that core competencies and skills in these areas were reinforced.
- Phase 2, which began April 6, 2020, included school boards providing students in need of laptops or internet services with those items, and teachers digitally providing their students with a continuation of the curriculum. In this phase, the Ministry also set minimum

hours of study expected per week by each student depending on their grade.

Subsequent to our audit work, on November 26, 2020 the government announced new TVO and TFO portals for students and parents, which contain curriculum-aligned, digital resources for Grades 1 to 8 students who are self-screening, quarantining at home, or wishing to build their skills by accessing additional educational resources. Secondary students could continue to freely access TVO's Independent Learning Centre (ILC) Open House and TVO ILC in French-language, which provide access to over 100 Grade 9 to 12 courses. These resources are not for credit but are designed to provide flexible learning opportunities to help students keep up with their learning or deepen their understanding of a specific subject.

Planning for the 2020/21 School Year

In June 2020, the Ministry first provided guidance to school boards for the school year beginning September 2020. Under the Ministry's plan, the decision for students to return to school in the fall is left to parents. For parents who chose not to send their children back to school, school boards were to be prepared to offer remote education. The Ministry asked all school boards to prepare for three learning scenarios and adopt different forms of delivery depending on public health circumstances, including a remote learning model, an in-class model and a hybrid of the two approaches. As part of remote learning, school boards were instructed to offer synchronous learning (teacher-led instruction with students in real time) either through online instruction for the entire class, in smaller groups of students and/or in a one-on-one context. Asynchronous learning does not happen in real time, but it may involve students watching pre-recorded video lessons, completing assigned tasks or contributing to online discussion boards.

On July 30, 2020, the Ministry announced the Province's plans for reopening schools on September 8, 2020. The plan included guidelines for reopening and health and safety protocols.

Elementary schools were expected to open for in-class learning five days a week for students from Kindergarten to Grade 8. Only students in Grades 4-12 were required to wear masks indoors on school property. The plan did not include a change to class size.

The plan required that students in Kindergarten to Grade 8 were to receive 300 minutes (or 5 hours) of instruction per day while remaining with the same class of students for the full day, including during recess and lunch. School boards and schools were expected to provide the full range of the elementary curriculum, including the new Grades 1-8 mathematics curriculum. Schools were expected to identify strengths and gaps in learning resulting from the prolonged absence from the classroom, to ensure that students have the fundamental building blocks prior to introducing new content.

Secondary schools in 24 designated school boards were expected to open with an adapted model of class cohorts of approximately 15 students, on alternate schedules that would include in-person attendance for at least 50% of instructional days. School board designation was dependent on the size of the school board, the number and size of the board's secondary schools, the size of secondary grade cohorts and whether the board is predominantly urban. Secondary schools in non-designated schools were to open with conventional

in-person instruction with enhanced health and safety protocols.

For students with special education needs, the Ministry instructed school boards to consider additional planning and transition time for returning to the classroom and to support attendance options, including allowing those students to attend class in-person daily when an adapted timetable or remote learning may be challenging based on student needs. School boards were also to consider changes in the school environment and/or remote learning needs when reviewing and updating individual education plans.

On August 13, 2020, the Ministry released a policy for remote learning that required school boards to provide a consistent approach and a predictable schedule for synchronous learning by grade during the period in which conventional in-person learning is interrupted.

Specifically, during remote learning, where students are home for more than three days in a given week, students and parents must be provided with a daily schedule that includes 300 minutes of learning opportunities, with a combination of synchronous (see **Figure 4**) and asynchronous learning activities. Teachers must be available to students at all times during the teacher's assigned teaching timetable, similar to if they were face-to-face in a classroom setting, and should work from

Figure 4: Guidelines for Daily Minimum Synchronous Learning¹ Time Requirement²

Source of data: Ministry of Education

Grade Level	Daily Minimum ³
Kindergarten	180 minutes
Grades 1-3	225 minutes
Grades 4-8	225 minutes
Grades 9-12	The higher of 60 minutes for each 75-minute class period – or 225 minutes per day for a full course schedule. ⁴

1. Synchronous learning is defined as teacher-led instruction with students in real time, either through whole class online instruction, in smaller groups of students and/or in a one-on-one context.
2. The synchronous learning time requirements outlined may be divided into shorter periods throughout the school day. This may also include students working independently or in small groups while engaged in a virtual classroom with the teacher overseeing their learning and being available for questions. In the case where students are able to attend in-person classes and also participate in remote learning, school boards should plan, where possible, to assign different educators to facilitate both formats of instruction. School boards must allow for students to be exempt from the minimum requirements for synchronous learning, on an individual basis at the request of the parents or students who are 18 years of age or older.
3. This is in addition to asynchronous learning time.
4. The synchronous learning time requirement for any period that is not 75 minutes should be adjusted to reflect this ratio.

a school or board facility, where possible. In addition, educators are also expected to provide more opportunities than the minimum requirements for synchronous learning for students with special education needs.

School boards are to be responsible for ensuring students have access to remote-learning devices and the internet. In addition, to provide a consistent learning experience, school boards must provide teachers with a standardized suite of synchronous learning platforms and with the necessary training on these platforms, as well as training for student and staff safety. School boards are also responsible for addressing student and parent comfort levels with technology, effective use of digital tools, effective pedagogy and assessment, student and staff mental health and well-being, and accessibility and differentiated instruction for all students, including students with special education needs.

The Ministry has also required that school boards collect data to be able to report on the number of students engaged in remote learning, provided with the minimum requirements for synchronous learning, and exempted from the minimum requirements for synchronous learning.

To help with the protection of privacy and cybersecurity of educators, students and parents, the Ministry instructed that school boards must review their cybersecurity and privacy policies and develop updates related to remote learning. This is important as our 2018 audit report, *School Boards - IT Systems and Technology in the Classroom*, found that school boards are vulnerable to cyberattacks.

On August 26, 2020, the Ministry released Operational Guidance: *COVID-19 Management in Schools*, protocols to monitor and respond to student illness and cases of COVID-19 in schools. Under this guidance, local health units are responsible for determining if an outbreak exists, declaring an outbreak, providing direction on outbreak control measures to be implemented and declaring when an outbreak is over. Schools have the responsibility for reporting COVID-19 cases and absenteeism related to COVID-19 within their school to the

local public health unit and to the Ministry through a daily reporting tool. School administrators and the school board are to ensure they maintain accurate records of staff, students and visitors, and be able to produce this information for any and all class cohorts. The document also provides guidance on the management of ill individuals during school hours, individuals exposed to COVID-19 outside the school, and confirmed COVID-19 diagnosis in the school community.

At various times during the summer break, the Ontario government announced additional funding to school boards totalling \$406 million as part of the school reopening plan: \$29 million announced on June 19, 2020; \$309 million on July 30, 2020; and \$79 million on August 13, 2020. On August 13, 2020, the government also granted school boards permission to access up to 2% of their operating budget from their prior year accumulated surplus, totalling \$496 million across all boards. On August 26, 2020, the Federal Government announced \$381 million in funding to Ontario through its Safe Return to Class Fund.

2.1.7 Organizational Structure and Operations

Primary responsibility for the review, development and implementation of curricula resides with the Curriculum, Assessment, and Student Success Policy Branch and the French-Language Teaching and Learning Branch of the Ministry of Education. See **Appendix 4** for an organizational chart of the Ministry pertaining to curriculum development and implementation.

These two branches collectively employ 82 full-time equivalent employees (FTEs), of which 16 are seconded from school boards. These staff are primarily responsible for the development of policy in the areas of elementary and secondary curriculum, K-12 assessment and reporting and the Ontario Secondary School Diploma (OSSD) and certificate requirements.

These branches also liaise with the EQAO to ensure provincial assessments reflect the Ontario curriculum and to inform the quality of student learning.

The Ministry previously had a Curriculum Council to provide advice to the Minister on emerging trends and other curriculum-related matters. In its 2019 Budget, the Ontario government announced that it was dissolving the Council following the recommendations of the Agency Review Task Force, which noted that the Ministry could obtain specific curriculum advice from stakeholder/expert working groups, rather than the Council. Reported expenditures of the Council in 2018/19 was about \$1,000.

2.2 Funding and Financial Information

As seen in **Figure 5**, over the last five years (2015/16 to 2019/20), the departments at the

Ministry of Education spent over \$512 million to develop, implement and review the English and French language curricula. Most costs have been consistent over the years, except for the costs of implementation, which were impacted by the number of curriculum releases, as well as a three-year, \$150 million investment (2014/15 – 2016/17) in technology and research of innovative practices to transform learning and teaching. Between the five-year period of 2015/16 to 2019/20, the Ministry revised nine curricula: Health and Physical Education; Canadian and World Studies; Classical Studies and International Languages; Elementary Social Studies, History and Geography; Cooperative Education; First Nations, Métis, and Inuit studies; Guidance and Career Studies; Mathematics (elementary); History and Geography; and the addendum to the Kindergarten Program.

Figure 5: Ministry of Education Spending on Curriculum Development and Implementation, and Province-Wide Testing, 2015/16–2019/20 (\$ million)

Source of data: Ministry of Education

	2015/16	2016/17	2017/18	2018/19	2019/20	5-Year Total	% of 5-Year Total	% Change
Curriculum Assessment and Student Policy Branch (English-language curriculum)								
Curriculum Development and Review	3.4	4.4	4.5	3.3	3.4	19.0	4	0
Assessment and Evaluation ¹	0.8	0.9	0.9	0.8	0.9	4.3	1	13
Implementation ²	97.1	79.8	29.4	24.2	23.8	254.3	50	(75)
Subtotal	101.3	85.1	34.8	28.3	28.1	277.6	55	(72)
French Language Teaching and Learning Branch³ (French-language curriculum)								
	18.4	17.4	17.5	14.0	10.6	77.9	15	(42)
Education Quality and Accountability Office (EQAO) – Operating costs								
	31.3	31.3	31.3	31.3	31.6	156.8	30	1
Total	151.0	133.8	83.6	73.6	70.3	512.3	100	(53)

1. Assessment and Evaluation includes costs for ongoing teacher training and guidance for assessing and evaluating students against curriculum expectations.
2. The drop in implementation costs beginning in 2017/18 is due to the end of a 3-year (2014/15–2016/17) \$150 million investment called the Technology Learning Fund. This funding was for the acquisition of technology and resources, such as laptops, tablets and software for classrooms and the related training for educators.
3. The Ministry does not have a breakdown of the costs by function for the French Language Teaching and Learning Branch.

3.0 Audit Objective and Scope

The objective of the audit was to assess whether the Ministry of Education has effective systems and processes to:

- develop curricula that are current, relevant and developmentally appropriate;
- oversee, in conjunction with school boards, that the curricula are implemented consistently across the province; and
- in conjunction with school boards, assess and evaluate students against curricula expectations on a consistent basis across the province.

Before starting our work, we identified the audit criteria that we would use to address our audit objectives. These criteria were established based on a review of applicable legislation, policies and procedures, internal and external studies and best practices. Senior management at the Ministry reviewed and agreed with the suitability of our audit objectives and related criteria as listed in **Appendix 5**.

We conducted our audit from January to September 2020, and obtained written representation from the Ministry that effective November 30, 2020, it has provided us with all the information it was aware of that could significantly affect the findings or the conclusion of this report.

We assessed whether the Ministry had a robust process in place to continuously review curricula to ensure that content is appropriate for the grade level being taught and in line with best practices in other high-performing jurisdictions in national and international assessments. We also assessed whether in revising the curricula, the Ministry made evidenced-based decisions and sought the input of key stakeholders and that the input was reflected in the revisions. Recently revised curriculum for which the Ministry's processes were assessed included:

- Cooperative Education Secondary (2018);

- Health and Physical Education Elementary (2019);
- First Nations, Métis, and Inuit Studies Secondary (2019);
- Career Studies (2019); and
- Mathematics Elementary (2020).

In addition to our review of the development of the First Nations, Métis, and Inuit Studies curriculum, our Office also conducted a value-for-money audit this year on Indigenous Affairs.

For our audit, we conducted a survey of key stakeholders who had been solicited by the Ministry for input and feedback during the curricula revision process, namely members of subject associations (self-organized groups of educators independent of the Ministry that conduct workshops and prepare learning resources for teachers, e.g., the Ontario Association of Physics Teachers), post-secondary institutions, business groups and focus groups, to understand their satisfaction level with the process and feedback on the appropriateness of learning expectations.

We compared Ontario's curriculum-development information to the eight other provinces that have subject-specific curriculum documents (Quebec develops one provincial set of standards and expectations for the entire curricula (all subjects and grades). We also had discussions with staff at departments/ministries of education in other jurisdictions (Canadian provinces and the United Kingdom) about curriculum development and implementation practices.

We discussed various issues outlined in our report with the four teacher unions in Ontario to obtain their feedback on the impact of those issues on their membership. With the co-operation of the unions, we conducted a survey of all regular classroom teachers to obtain feedback on whether the resources, textbooks and other supports received from the Ministry of Education and/or school boards help teachers to effectively deliver the required curricula. The survey also asked for feedback about curriculum delivery and student assess-

ment. We received 8,057 full or partial responses to the survey.

We also held discussions with university faculties of education regarding programs for providing student teachers with consistent practices for assessment of student learning which is in line with Ministry policy, as well as post-secondary admission offices regarding adjustment to student grades dependent on the high school the student attended.

We met with staff at the Education Quality and Accountability Office (EQAO) to discuss student performance on standardized testing and to determine how the EQAO office ensures provincial assessments are linked to curriculum expectations.

We conducted our work primarily at the Ministry's head office in Toronto and with four school boards, namely Toronto District School Board (Toronto); Catholic District School Board of Eastern Ontario (Eastern Ontario), located in Kemptville Ontario; District School Board Ontario North East (Ontario North East), located in Timmins, Ontario; and Near North District School Board (Near North) located in North Bay, Ontario.

We also engaged the use of two experts to provide input and insights to our audit plan and findings in the areas of curriculum development, implementation and assessment.

Due to the closure of schools in March 2020 in response to COVID-19, we were unable to visit schools or observe teachers in order to assess the consistency and degree with which teachers were implementing curriculum expectations and conducting assessments of the curriculum. Instead, we held discussions with a sample of elementary and secondary school principals and curriculum leads at secondary schools from the boards we engaged with.

We conducted our work and reported on the results of our examination in accordance with the applicable Canadian Standards on Assurance Engagements—Direct Engagements issued by the Auditing and Assurance Standards Board of the Chartered Professional Accountants of Canada. This included obtaining a reasonable level of assurance.

The Office of the Auditor General of Ontario applies the Canadian Standard on Quality Control and, as a result, maintains a comprehensive quality-control system that includes documented policies and procedures with respect to compliance with rules of professional conduct, professional standards and applicable legal and regulatory requirements.

We have complied with the independence and other ethical requirements of the Code of Professional Conduct of the Chartered Professional Accountants of Ontario, which are founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour.

4.0 Detailed Audit Observations

4.1 Curriculum Review Process and Method of Review

4.1.1 Ontario's Curricula Are Aging

The age of Ontario's core curricula is comparable to other Canadian jurisdictions, with the exception of British Columbia, which has updated all of its core curricula within the last four years. We defined core curricula as those that are compulsory for graduation in the majority of provinces. As seen in **Figure 6**, the age of Ontario curricula in these areas range from less than one year to 14 years old at the elementary level and two to 15 years old at the secondary level. Much of the Ontario curricula has not been revised in at least 10 years. We found that 15%, or 12 of 82, of Ontario's curriculum documents were released 15 or more years ago (2005 or prior), including math for Grades 9 and 10. In addition, another 51%, or 42 of 82, curriculum documents were released between 10 and 14 years ago (from 2006 to 2010), including Computer Studies and Technological Education at the secondary level. The percentage of elementary and secondary curricula that were at least a decade old was

Figure 6: Years Since Ontario Curricula was Last Revised in Core Subject Areas

Source of data: Ministry of Education

Subject Area	English Curriculum	French Curriculum	Years Since Curricula was Last Revised
Elementary			
Arts	2009	2009	11.00
French as a Second Language	2013	2006/2013 ¹	9.30 ²
Health and Physical Education ³	2019	2019	1.00
Kindergarten ⁴	2019	2019	1.00
Language	2006	2006	14.00
Mathematics	2020	2020	0.00
Science and Technology	2007	2007	13.00
Social Studies, History and Geography ⁵	2018	2018	2.00
Secondary			
Arts	2010	2010	10.00
English as a Second Language and English Literacy Development	2007	2010	11.50 ²
French as a Second Language	2014	2007/2013 ⁶	8.70 ²
Health and Physical Education	2015	2015	5.00
English	2007	2007	13.00
Science	2008	2008	12.00
Canadian World Studies, Grades 9 and 10 ⁵	2018	2018	2.00
Canadian World Studies, Grades 11 and 12	2015	2015	5.00
Mathematics, Grades 9 and 10	2005	2005	15.00
Mathematics, Grades 11 and 12	2007	2007	13.00
Social Sciences and Humanities	2013	2013	7.00

1. French as a Second Language consists of two curriculum documents. One was last revised in 2006 and the most recent one was revised in 2013.
2. The age of the curriculum is an average as it was revised in multiple years.
3. The most recent revision in 2019 was a focused review. The curriculum also underwent a focused review in 2015 and the last full revision was in 2010.
4. The most recent revision in 2019 was a focused review. The last full revision was in 2016.
5. The most recent revision in 2018 was a focused review for the Truth and Reconciliation Commission to inform students about what happened in Indian Residential Schools. The last full revision was in 2013.
6. French as a Second Language consists of three curriculum documents. Two were last revised in 2007, and the most recent one was revised in 2013.

20% and 80%, respectively. For elementary and secondary curriculum documents combined that were released at least a decade ago, only 31%, or 17 of 54, have a planned update and release date. See **Appendix 1** for a complete list of curriculum documents, the last revision release date and those planned to be updated.

We contacted other provinces and reviewed publicly available information about the age of core English-language curricula of eight other provinces that have subject-specific curriculum documents (Quebec develops one provincial set of standards

and expectations for the entire curricula) and noted that Ontario was generally in line with the average of all provinces we reviewed. Although there were three other provinces with curricula that were at least 20 years old, Ontario's curriculum in science and technology, language (elementary), and English (secondary), elementary arts, and secondary level mathematics, were among the oldest, as shown in **Figure 7**. In June 2020, the Ministry released a new elementary math curriculum and tentatively has plans to release a new curriculum for science and secondary math. It does not have plans to release a new language curriculum.

Figure 7: Average Age of English-Language Curricula in Core Subject Areas by Province (Years)

Prepared by the Office of the Auditor General of Ontario

	BC	AB	SK	MB	ON	NB	PE	NS	NL	ON Ranking
Elementary										
Arts	4	33	10	9	11	16	11	5	10	6
Health and Physical Education	4	19	11	20	1	12	12	5	8	1
Language	3	19	7	3	14	15	15	5	7	6
Mathematics*	4	9	12	7	0	11	8	6	5	1
Science	4	18	10	21	13	17	9	5	4	6
Social Studies	4	15	11	17	2	13	11	5	12	1
Secondary										
Arts	2	32	9	5	10	16	13	13	3	5
Health and Physical Education	2	19	6	20	5	12	8	9	10	2
English	2	17	16	3	13	8	8	15	6	6
Mathematics	2	13	9	6	14	7	8	8	5	9
Science	2	9	4	14	12	13	10	12	5	7
Social Studies	2	26	27	8	5	11	9	14	4	3

* Ontario released Math curriculum for elementary students on June 26, 2020. Prior to this update, the curriculum was 15 years old and comparatively would have ranked in ninth place.

We also reviewed the age of the curriculum of some international jurisdictions and found that they all have national-level curricula and have revised their curricula within the last five years. Australia and New Zealand last made changes to their national curriculum in 2015, while the United Kingdom and Finland updated components of their national curriculum in 2016 and 2017, respectively. Australia plans to review its curriculum again in 2020 (particularly in math and science).

4.1.2 Ontario's Curriculum Revision Process Could Benefit from Practices in Other Jurisdictions

We compared Ontario's curriculum review process to eight other provinces. Three of these provinces (Alberta, British Columbia and Nova Scotia), along with Quebec and Ontario, had the highest student test results among Canadian provinces in reading, math and science in the 2018 Programme for International Student Assessment. As seen in **Figure 8**,

we found that the higher-performing provinces generally shared the same fundamental steps in their processes for developing curriculum, with a few exceptions.

Our review consisted of publicly available information and discussions with, and materials provided by, the eight other Canadian provinces. We noted practices that could benefit Ontario if incorporated into its process, namely, identifying curriculum for revision using a formal risk-based process, piloting draft curriculum before full implementation, releasing draft curriculum to schools within a specified time period before the implementation date, and separating students into applied and academic courses at a later grade (starting in Grade 10, instead of Grade 9).

Need for a Risk-Based Process for Selecting Curriculum for Revision

We noted other jurisdictions (namely, Manitoba, New Brunswick and Newfoundland and Labrador)

Figure 8: Comparison of Ontario's Curriculum Revision Process to Eight Canadian Provinces

Prepared by the Office of the Auditor General of Ontario

	ON	AB	BC	NS	MB	NB	NL	PE	SK
Formal risk-based process for selecting curriculum to revise	x	x	x	✓	✓	✓	✓	x	x
Benchmarking:									
Jurisdictional Scan – Canadian Provinces	✓	✓	x	✓	✓	✓	✓	✓	✓
Jurisdictional Scan – International	✓	✓	✓	✓	✓	✓	✓	x	✓
Do consultations include:									
Public	✓	✓	✓	✓	x	✓	✓	x	✓
Relevant industry stakeholders (like employers, professional associations etc.)	✓	✓	✓	✓	✓	✓	✓	x	✓
First Nations, Metis and Inuit	✓	✓	✓	✓	✓	✓	✓	x	✓
Educational institutions – post-secondary/ teachers etc.	✓	✓	✓	✓	✓	✓	✓	x	✓
Curriculum revised by Subject for all grades	✓	✓	✓	✓	x	✓	✓	x	✓
Curriculum written by:									
Contracted teachers	✓	x	✓	✓	✓	✓	✓	✓	✓
Contractors	✓	x	✓	x	✓	✓	✓	x	✓
Internal Ministry staff	✓	✓	x	✓	✓	✓	x	x	✓
Feedback collected while curricula is written	✓	✓	✓	✓	✓	✓	✓	✓	✓
French and English revised concurrently	✓	✓	✓	✓	✓	x	✓	x	✓
Mandatory lens check to ensure diverse student needs are met									
Indigenous	✓	✓	✓	✓	✓	✓	✓	n/a ²	✓
Equity/Inclusiveness/Well-Being	✓	✓	✓	✓	✓	✓	✓	n/a ²	✓
STEM and Financial Literacy	✓	✓	x	✓	x	x	x	n/a ²	✓
Curriculum is piloted before implementation	x	✓	✓	✓	✓	✓	✓	✓	✓
Defined timeline for schools to receive curriculum before implementation	x	✓	✓	✓	✓	✓	✓	✓	✓
Ministry develops training resources	✓	n/a ¹	x	✓	✓	✓	✓	✓	✓
Ministry holds training sessions	✓	n/a ¹	x	✓	✓	✓	✓	✓	✓
Separating students by stream starting in Grade 10	x	✓	✓	✓	✓	✓	✓	✓	✓

1. At the time of our fieldwork, Alberta was in the process of revising its entire curricula, therefore information on those elements marked as n/a was not available.

2. Prince Edward Island performs one collaborative lens check with various stakeholders to consider all perspectives at once.

utilize risk-based frameworks with established criteria to determine the need for reviewing and updating curriculum. Factors considered include demand from industry, age of the curriculum, scope of revisions under consideration, stakeholder recommendations, societal demands, demographics, research engagement and achievement data. In Manitoba, Nova Scotia, New Brunswick and

Newfoundland and Labrador, for example, policy dictates that curriculum be reviewed continuously and on an annual basis, although changes to the curriculum are not necessarily made. Staff in these provinces monitor the curriculum to assess if updates are needed and, if so, the level of revision required; for example, an update to resources only, a section of the curriculum or a complete

revision. Although these four provinces have not realized the same performance results as Ontario in national and international assessments, this practice helps toward ensuring that the curriculum is current and relevant.

According to the Ministry, its current process for determining when a curriculum should be revised includes receiving input through consultation from education stakeholders, research partners and academics, and other experts. The Ministry has also stated that in determining if a revision is required, it considers how current the curriculum is (such as new trends in the subject/discipline, pedagogical approaches, development and innovations in technology), and if there is coherence from Kindergarten through Grade 12. However, the Ministry was not able to provide any documented analysis to confirm its consideration of these factors in prioritizing curricula for an update. The Ministry provided us with a timeline for curricula it is planning to update between 2019/20 and 2022/23; however, there was no documented justification provided for why these curricula were selected over others.

Curricula which covers subject matter that can become outdated quickly, such as computer science and other science and technology-based courses, should be reviewed more frequently. However, none of Ontario's science or technology-based curricula has been reviewed more than once in the last 17 years.

We noted that Ontario's accounting courses in the business studies curriculum are out of date. The accounting courses still make mention of accounting principles (for example, the matching principle which changed with the introduction of International Financial Reporting Standards) and professional associations (for example, the Canadian Institute of Chartered Accountants, Certified General Accountants Association of Ontario, and the Society of Management Accountants of Ontario) that have been out of date since 2011 and 2013, respectively.

In Ontario, Draft Curriculum Not Piloted before Full Implementation

We also noted that all the provinces we reviewed pilot draft curriculum in schools and incorporate feedback from the pilot process into the final curriculum document. Ontario is the only province that does not currently have a system for piloting curriculum before it is released. The expert we consulted noted that piloting of curriculum would be a beneficial process for teachers and students as the literature on implementation in schools suggests that if direction on how to implement the curriculum has not been clearly defined and supported, there is a large impact on whether students achieve a standard of learning.

We also noted that, in Ontario, the Province often leaves little preparation time for teachers prior to releasing a curriculum (as discussed in **Section 4.3.3**). Other provinces have a defined timeline to release curriculum revisions to schools prior to the date teachers are expected to implement the revised curriculum. For example, in British Columbia, the curriculum is released one year before mandatory implementation in schools. Saskatchewan provides schools at least one academic semester before curriculum must be implemented. Depending on the curriculum, Nova Scotia releases curriculum one to two years ahead of mandatory implementation.

The amount of lead-time provided to Ontario teachers in the five most recently released new or revised curricula ranged from 10 days to five months. The expert we consulted about the optimum amount of lead-time noted that a good practice would be to develop a release plan that maps out the critical steps involved in the preparation for and use of the new curriculum. Although there are different strategies that could be developed for a release plan, virtually all involve a multi-year process.

Separating Students by Academic Ability to Start in Grade 10

Another notable difference between Ontario and the provinces we reviewed is the process, referred to as streaming, which divides students entering high school into either the applied stream or an academic stream that determines their post-secondary pathway. In Ontario, streaming starts in Grade 9, whereas in other provinces streaming starts in Grade 10 or Grade 11. In July 2020, the Ministry announced that it would defer the process of streaming into applied and academic courses from Grade 9 to Grade 10, starting with the new foundational Grade 9 math course for all students in September 2021, in an effort to break down barriers for Indigenous, Black and racialized students.

Research has shown that these students are disproportionately represented in the applied stream. For example, a 2017 report by York University found that 53% of Black students in the Toronto District School Board were in academic programs compared to 81% of white students and 80% of other racialized groups. Conversely, 39% of Black students were enrolled in applied programs compared to 16% of white students and 18% of other racialized groups.

RECOMMENDATION 1

In order to improve the process of developing and implementing curriculum, we recommend that the Ministry of Education:

- develop a formal risk-based approach for selecting curriculum to revise;
- set a defined amount of time between when it releases curriculum and the implementation date; and
- pilot new or revised curriculum in schools prior to full implementation.

MINISTRY RESPONSE

The Ministry of Education agrees with the Auditor General's recommendation and will integrate a more formal assessment of risk into

a defined curriculum renewal approach that ensures the development of relevant and timely curriculum to support student learning.

As part of the development of a risk-based curriculum renewal approach, the Ministry will work toward establishing a consistent time between the issuance of curriculum and the mandatory implementation date. The Ministry recognizes the value of access to a new curriculum ahead of a mandatory implementation date. The Ministry will undertake a review of possible approaches to piloting curriculum, which will include consideration of the short- and long-term outcomes and equitable learning opportunities for all students.

4.1.3 In Some Cases, Ministry Does Not Perform All Stages of the Curriculum Review Process

We reviewed the Ministry's process to develop current, relevant and developmentally appropriate curricula. Our review included the five most recently revised curricula: Health and Physical Education Elementary (2019); Cooperative Education Secondary (2018); First Nations, Métis, and Inuit Studies Secondary (2019); Career Studies (2019); and Mathematics (2020). We found several instances where the Ministry did not adhere to its stated curriculum review process. These are summarized in **Figure 9** for each of the curricula reviewed, and exceptions are explained in further detail throughout this section.

We also found that the Ministry had not obtained comprehensive stakeholder input or provided sufficient time to allow for proper fact-checking while revising the 2019 Health and Physical Education Elementary curriculum. As well, the Ministry had not updated all necessary stakeholder input while developing the 2019 First Nations, Métis, and Inuit Studies Secondary curriculum.

Figure 9: Results of Our Testing of the Ministry's Curriculum Review Process, as shown in Figure 2

Prepared by the Office of the Auditor General of Ontario

Steps	Detailed Procedures	Health and Physical Education Elementary (2019) ¹	First Nations, Métis, and Inuit Studies Secondary (2019) ²	Mathematics Elementary (2020)	Cooperative Education Secondary (2018)	Career Studies (2019)
Research	Technical analysis (such as media scan, subject matter experts consulted, third-party studies)	✓	x	✓	✓	✓
	Benchmarking to international jurisdictions	✓	x	✓	n/a ³	x
	Benchmarking to provincial jurisdictions	✓	x	✓	✓	✓
Engagement (Stakeholder Feedback)	Educators/subject or division associations	x	x	✓	✓	✓
	Teacher federations	x	x	✓	✓	✓
	Post-secondary institutions/expert consultants	x	x	✓	✓	✓
	Industry	x	x	✓	✓	✓
	Indigenous	x	x	✓	✓	✓
	General public (parents, students, etc.)	✓	x	✓	✓	✓
	Relevant Ministry of Education divisions and other Ministries	x	✓	✓	✓	✓
Summary/Synopsis ⁴	Community education stakeholders	x	x	✓	✓	✓
	Synthesis/recommendations report prepared to guide curriculum review	x	✓	✓	✓	✓
Writing	English and French curriculum written at the same time	✓	✓	✓	✓	✓
	Internal Education Officers guide process	✓	✓	✓	✓	✓
Editing	Drafts shared with writers and key stakeholders for feedback	✓	✓	✓	✓	✓
Fact Check	External academic experts on curriculum topic	x	✓	✓	✓	✓
	Equity lens check	x	✓	✓	✓	✓
	Indigenous (First Nations, Métis, Inuit)	x	x	✓	x	✓
	Environmental education	x	✓	✓	✓	x
	Financial literacy	x	✓	✓	✓	✓

✓ No exception to the process noted during our testing.

x Exception(s) to the process noted during our testing.

1. Fact checkers were provided with less than the Ministry's recommended 8 days to review the curriculum.

2. Consultations held with Chiefs of Ontario representing Anishinaabek, Mushkegowuk, Onkwehonwe, and Lenape Peoples.

3. There is no international equivalent. Other high-performing jurisdictions such as Finland, England and Australia stream students into different schooling systems based on if they want to enter vocational work versus academics (Finland) or issue policy documents which can be tailored to the local curriculum needs (England and Australia).

4. Although not listed as a review process step, we have noted that the Ministry has completed this practice for some curriculum and considers it to be a good practice.

Health and Physical Education Elementary (2019)

The only type of consultation conducted for the Health and Physical Education Elementary curriculum was general public consultation (versus including other stakeholders noted in **Figure 9**), held between September and December 2018, which was part of a larger consultation about changes to the Ontario education system in general. The other topics consulted on included standardized testing, cell phones in classrooms, science/technology/engineering and math education. These public consultations were held at a cost of \$973,000. The resulting Health and Physical Education Elementary curriculum was not significantly different from the 2015 version of the curriculum. Changes to the curriculum included revisions to reflect the legalization of cannabis, and new information about concussions and sexually explicit media. Other changes included the addition of consent and additional learning about healthy relationships in every grade, not just in Grades 7 and 8; education in every grade about mental health; additional learning about online safety; and learning about sexual orientation in Grades 5 and 7, in addition to the learning already delivered in Grades 6 and 8.

Further, the Ministry noted that organizations involved in education or student well-being, such as the various subject associations and Children's Mental Health Ontario, were not individually solicited for their input on the curriculum prior to it being developed. Although some key stakeholders provided comments through the general online consultations held in 2018 or later during the fact check process, it would have been prudent for the Ministry to directly solicit the expertise of such organizations to ensure all relevant stakeholder input was received.

We conducted a survey of stakeholders consulted for input during the development of the Health and Physical Education Elementary curriculum and found that 68% of respondents thought that insufficient time was provided to analyze the revised curriculum.

Regarding the fact-checking of the revised Health and Physical Education Elementary curriculum documents, we noted that six of the 11 consultants contracted were provided only one day to accept the Ministry's request to review the curriculum. This resulted in one-third of the Ministry's preferred external fact checkers being unable to take part in the process due to the short timeline.

First Nations, Métis, and Inuit Studies Secondary (2019)

In our review of the First Nations, Métis, and Inuit Studies Secondary (2019) curriculum, we found that much of the research (such as benchmarking to comparable provincial curricula, school board surveys and literature scans) used to inform the curriculum revisions in 2019 took place in 2009 and 2010, almost 10 years prior to the release of the curriculum. The Ministry did not endeavour to obtain more updated analysis before releasing the new curriculum. In addition, the Ministry did not consistently apply a process for obtaining current perspectives from Indigenous communities, as recommended by Indigenous partners, a process adopted for other curriculum being revised by the Ministry at the time. This was also the case in revising the Cooperative Education Secondary curriculum.

According to the Ministry, the reason for the 10-year gap between when research and revisions to the curriculum began and the release of the curriculum was the extent of revisions necessary, and the required time to engage with Indigenous partners. In addition, constant staffing changes of those with expertise in this area of the curriculum also contributed to the length of time needed for the revisions. The person in the lead role in the revisions changed five times in the 10-year period, and many of the staff with expertise on the Indigenous perspective through the Truth and Reconciliation Commission were reassigned other work related to Indigenous education.

Formal consultations used to inform the curriculum revisions included Indigenous communities

and Elders, teacher federations, school boards, student groups, post-secondary institutions, industry and nine other ministries. However, these took place primarily in 2009 and 2010. The Ministry did supplement these older consultations by involving representatives from First Nations, Métis, and Inuit leaders and communities in the editing process of the final curriculum documents before they were released in 2019.

Between February and June 2018, just prior to the release of the curriculum, the Ministry consulted the First Nations Lifelong Learning Table, which is composed of Ministry and First Nation representatives. The First Nations Lifelong Learning Table, which identifies and works on First Nation education and training priorities, includes an Education Co-Ordination Unit whose goal is to facilitate inter-governmental liaison with provincial government officials to promote the collective interest of First Nations.

Based on our survey of stakeholders consulted during the development of the First Nations, Métis, and Inuit Studies Secondary curriculum, we found that:

- 47% of respondents thought that insufficient time was provided to analyze the curriculum; and
- 53% felt that their feedback was not incorporated into the curriculum. Multiple survey participants also noted that, due to the nature of the subject matter, it would have been beneficial to involve Indigenous communities throughout the entire process, not only at the final review stage prior to the release of the curriculum.

Note that similar responses were provided by those consulted during the development of the Mathematics Elementary curriculum in which 55% of respondents indicated that insufficient time was given to provide feedback. Of the respondents who reviewed the math curriculum, 48% felt their feedback was not incorporated into the curriculum.

RECOMMENDATION 2

To allow for development of curricula that is research-based, evidenced-informed and reflective of stakeholder views, we recommend that the Ministry of Education establish procedures that ensure that each step in its own process for curriculum development is completed on a timely basis and that fulsome research and relevant stakeholder feedback are obtained.

MINISTRY RESPONSE

The Ministry will continue to build upon its current approach to curriculum development that includes research and evidence, subject-matter expertise and relevant stakeholder engagement, advice and feedback.

While the Ontario model is robust, the Ministry agrees to develop a standard procedures guideline that will be used throughout the curriculum revision process to support the consistency of each step.

4.2 Implementation of Curriculum Expectations

4.2.1 Neither the Ministry nor School Boards Have Formal Oversight of Whether Curricula Are Being Consistently Implemented across the Province

School boards and the schools we engaged with did not have a formal and sustained process to make sure that the curriculum was being implemented effectively across all schools.

Based on our review of school board practices and discussions with a sample of school principals, we noted that most of the responsibility to implement the curriculum is at the school level. School principals are responsible for making sure that the curriculum is being properly implemented in all classrooms in their school and that appropriate resources are made available to teachers and students. Teachers are responsible for preparing

lessons that align with the curriculum, selecting resources and teaching strategies, and assessing, evaluating and reporting students' achievement of the curriculum expectations. To this end, teachers are expected, at the beginning of the school year, to prepare long-range plans that provide a broad overview and timeline for student learning in every subject area they teach for the entire year. Teachers are allowed the flexibility to choose the format of these plans, but they typically identify the curriculum topics (big ideas) and units to be taught with the overall expectations in each unit and subject. The plans also typically include when the units and overall expectations will be taught. At the secondary level, teachers are expected to prepare course outlines which provide a schedule of what is to be covered in the course and tell students what the course expectations are and provide a timeline for achievement of these expectations. Course outlines also provide a schedule of assignments and their associated weighting toward a final grade, as well as a reading list for the course.

In addition to the long-range plans, teachers are also required to prepare detailed unit and daily lesson plans of what is to be taught and assessed, and how the expectations will be achieved. Further, teachers are to indicate the resources that will be used and any modifications and accommodations required for specific students. Teachers normally create unit and daily lesson plans as the year progresses and gather assessment data to identify students' individual strengths and needs. Teachers' lesson plans also vary from teacher to teacher. Although teachers are required to teach what is in the curriculum, how they teach what students are supposed to learn is up to the teacher.

We found that, although school administrators and curriculum leads take several informal actions to make sure that the curriculum is being implemented, there were no consistent systematic processes at the school level to make sure that the curriculum was being implemented effectively and that the students were learning all of the required curriculum. For example:

- All the school principals and vice-principals we spoke with at the elementary and secondary levels conducted routine walkthroughs of classrooms. The purpose of the walkthrough is to see if students are engaged in learning and if the lesson being taught by the teacher is relevant, well prepared and organized. During a walkthrough, a principal can spend anywhere from five to 10 minutes in a classroom, having conversations with students and asking them to explain what they are learning and why they are learning it. They also explained that they look around the classroom to see if teachers have identified and posted learning goals. The walkthroughs are not intended to be an assessment or evaluation of the teacher. We were told walkthroughs are part of their daily routines, and they try to get into a few classrooms every day, but that does not always happen because other pressing matters arise during the day.
- Principals informed us that, at the beginning of the school year, they required teachers to submit long-range plans, and secondary teachers were also required to submit course outlines. However, principals did not normally require teachers to submit their unit and daily lesson plans, and most principals said that they do not routinely review teacher plans in detail. Principals stated that an in-depth review of a teacher's instructional and assessment practices is done in the year of the teacher's formal performance evaluation, which for experienced teachers occurs only once every five years (unless performance issues have been identified) and for new teachers twice within the first 12 months of employment. The advisors we engaged for our audit noted that it is not possible to assess the quality or depth of teaching by reviewing a teacher's lesson plans, as experienced teachers who are generally teaching the same grade or grades from one year to the next often do not include the level of detail

required for an assessment of their plans because they are guided more by experience.

- The Ministry provides school boards with funds to staff secondary schools with curriculum leads who are experienced teachers selected to, among other things, support and facilitate other teachers in their department in implementing the curriculum. The number of curriculum lead positions at each school varies depending on the number of teachers and students at a school. The typical role of curriculum leads is to provide staff with professional learning opportunities and education materials and resources, mentor staff, help develop teaching strategies and assessment techniques, interpret and disseminate achievement data (e.g., EQAO results) and help design strategies to address the results. In addition, the curriculum leads have administrative responsibilities such as developing and managing the department budget. School board staff told us that the level of engagement of curriculum leads varied. While some curriculum leads embrace their leadership role, others stick to management duties such as managing the budget, ordering supplies and co-ordinating department meetings. However, all school board and school administrators we spoke to told us that, in adherence with their collective agreement, because curriculum leads are also teachers, they cannot direct a teacher to take a certain action, evaluate a teacher in any way or make sure that teachers in their departments are implementing the curriculum and assessing students appropriately.

According to responses to our teacher survey, as seen in **Figure 10**, 22% of elementary teachers and 11% of secondary teachers reported that they did not collaborate on development of teaching plans and tests and major assessments with colleagues who teach the same grade or course in their school to help provide consistent delivery and assessment of curriculum. In addition, as seen in **Figure 11**,

Figure 10: Teacher Survey Responses on Collaboration with Other Teachers

Source of data: Survey conducted by the Office of the Auditor General of Ontario

Items Collaborated On	Elementary (%)	Secondary (%)
Long range plans	54	58
Unit plans	41	52
Lesson plans	37	38
Tests and major assignments	35	58
Exams	n/a	63
No collaboration on any of the above	22	11

responses to our survey of teachers reported that 71% of elementary teachers indicated their long-range plans for curriculum delivery are reviewed primarily by principals or vice-principals. However, other types of plans and student assessment tools they prepare are reviewed much less frequently; for example, only 8% said that principals or vice principals reviewed their tests and major assignments and 15% reported that principals or vice-principals reviewed their unit plans. At the secondary level, 79% of teachers indicated that exams are reviewed by either school curriculum leads, principals or vice-principals. Teaching plans were reviewed much less frequently with between 51% and 78% of teachers reporting that no review took place their long-range plans and lesson plans, respectively.

Our teacher survey also found that 81% of teachers stated they were not able to teach all of the curriculum expectations in adequate depth during the instructional time provided in a school year. Further, we asked teachers whether certain factors had an impact on their ability to effectively deliver curricula. Respondents indicated that each area we enquired about had a major impact. This included number of students with special needs (76%), class size (70%), availability of student resources (54%), and availability of teacher resources and exemplars (49%).

If students are not being taught the curriculum effectively and in its entirety, they may not be

Figure 11a: Teacher Survey Responses on Review of Elementary Teacher Implementation Plans and Assessments

Source of data: Survey conducted by the Office of the Auditor General of Ontario

	Reviewed Primarily by Principal or Vice Principal (%)	Not Reviewed by Anyone (%)
Long range plans	71	29
Unit plans	15	85
Lesson plans	14	86
Tests and major assignments	8	92

Figure 11b: Teacher Survey Responses on Review of Secondary Teacher Implementation Plans and Assessments

Source of data: Survey conducted by the Office of the Auditor General of Ontario

	Reviewed Primarily by Principal or Vice Principal (%)	School Curriculum Lead (%)	Not Reviewed by Anyone (%)
Long range plans	26	22	51
Unit plans	10	23	67
Lesson plans	11	11	78
Tests and major assignments	5	25	70
Exams	29	50	21

acquiring the necessary knowledge and skills to transition to post-secondary education or into the labour force. However, the Ministry has only collected data and conducted analysis on the number of students who enter publicly funded post-secondary education in Ontario, but has not collected information related to first-year success in post-secondary school (drop-out rate or unsuccessful completion of courses).

RECOMMENDATION 3

In order to understand and address barriers and challenges to the effective implementation of new or major curriculum revisions, we recommend that the Ministry of Education:

- collect data and information through surveys of educators and other means to evaluate the level of implementation following major curriculum revisions;
- provide specific and focused training and supports in areas identified by surveys to be impeding effective implementation; and

- collect and examine data related to students' performance in the first year of post-secondary pursuits to gain an understanding of any knowledge or skills gaps of Ontario students and address the gaps.

MINISTRY RESPONSE

The Ministry agrees that evaluating the effectiveness of new curriculum implementation is important. Building on the Ministry response to Recommendation 2, we will work with our education partners to explore opportunities to gather feedback from educators on the level of implementation, challenges and barriers to implementation, and best practices and opportunities for improvement. This can be a step in the development of the curriculum revision process.

In addition to the Ministry's current process of gathering input on training, resources and supports, the Ministry will use the feedback

from education partners to inform the development of curriculum-specific training, resources and support.

The Ministry will continue its ongoing work with the Ministry of Colleges and Universities and other areas of government to gather additional information on the experience and outcomes of students after secondary school as they transition to post-secondary institutions, apprenticeship programs and the labour market.

RECOMMENDATION 4

We recommend that school boards ensure principals or vice-principals consistently complete a review of teachers' annual long-range plans and a sample of lesson plans to ensure all curriculum expectations are planned to be taught to an appropriate level of depth.

RESPONSE FROM SCHOOL BOARDS

The Near North District School Board will implement consistent monitoring processes that enable principals and vice-principals to review educators' annual long-range plans and a sample of lesson plans to ensure curricula are taught to an appropriate level of depth.

The Catholic District School Board of Eastern Ontario has developed a reference tool of suggested long-range plans for all grade levels 1-8 to follow the curriculum along the same timeline. This will support project-based and cross-curricular learning across the grades and subject -areas for teachers. The long-range plan reference tool was created this year to facilitate and support our grade 1-8 students in the virtual school and brick schools with the possible changes from learning face-to-face to virtual or vice-versa to prevent students from missing strands or subjects. We will work with administrators to ensure that this information is shared with teachers annually and that long-range plans and lesson plans reflect the most

current changes to curriculum as they are communicated to us from the Ministry.

District School Board Ontario North East commits to completing this action within a two-year timeframe. This action will be added to the annual principal's checklist. Superintendents of Education will monitor the work of the principals and vice-principals. Superintendents, principals and vice-principals will review sample annual long-range plans and sample lesson/unit plans to ensure a common approach to assessing the quality of the planning. At the secondary level, the department heads will take a leadership role in reviewing the long-range plans for their department. The school board will consult with the teachers' federations. The school board will review/revise or develop sample templates that will be promoted as common templates for long-range and lesson/unit plans, and support school staff with this work.

The Toronto District School Board recognizes the role of principals and vice-principals as instructional leaders is critical. In order to ensure that curriculum expectations are planned to be taught to an appropriate level of depth, a number of strategies will be implemented and/or reinforced. This includes inserting expectations around reviewing long-range plans, lesson plans in the school board's Principal Checklist, reminding principals and vice-principals to communicate expectations around long-range plans and lesson plans to teachers, and reviewing them through other oversight processes. Administrators will collect course outlines and long-range plans from all staff and a modified version of course outlines/long-range plans/course outlines will be shared with students and families by educators.

Further, as part of capacity building for principals and vice-principals, the TDSB will share and reinforce best practices for monitoring long range and lesson planning. For example, long range plans may be embedded into grade team/division/course planning on an ongoing basis

as evident through daily lesson plans and must align with assessment, evaluation and reporting for consistency.

MINISTRY RESPONSE

The Ministry will engage with partners to identify additional leadership opportunities for principals and vice-principals to support educators in their classroom instruction by reviewing long-range plans and sample lesson plans while considering existing policies and processes.

4.2.2 Most Educators Are Not Finding Ministry Resources Useful and No Routine Mechanism Exists for Teachers to Provide Input or Feedback on the Development of Resources

Teacher resources and instructional materials are important for teachers to effectively deliver and implement the curriculum. Over the past 15 years, the Ministry has developed an array of resources to help teachers improve their effectiveness in teaching and to improve student learning for both English- and French-language curricula. However, we noted that the Ministry surveyed educators specifically on the usefulness of resources for the math curriculum in 2014 and, to a lesser extent, in 2017/18 as part of a survey on its math strategy. Despite the concerns described below being raised in the survey with respect to math resources, the Ministry has not taken steps to address the concerns raised in the survey, or to evaluate the usefulness of resources for other curricula. The Ministry updated and re-published some math resources in 2017/18 to align with recommendations in the evaluation report. However, the Ministry has not followed up with educators to determine if the updated resources are now any more useful.

In 2014, the Ministry contracted a third-party consultant to evaluate the usefulness of math resources for teachers of all grades in both languages of instruction, and to evaluate the dis-

semination and distribution of these resources. The evaluation looked at 92 math resources in English and 60 math resources in French, produced by the Ministry between 2002 and 2013. The resources reviewed covered many forms, such as materials available in print and online, interactive websites, videos and webinars. The evaluation was conducted through a combination of interviews, focus groups and a survey of educators.

Resources were considered most useful if they were aligned with teaching needs so that they fit with the instructional program, suitable for grade levels being taught, aligned with the curriculum and with school board and Ministry goals, clear and easy to understand, ready for use in lesson plans and if they provided hands-on activities.

The evaluation report to the Ministry also found that:

- Teachers were aware that there are numerous resources available for them; however, they were not always well informed on how to access these resources or even where to start their research for resources. There were inconsistent practices on how resources were disseminated, and information did not necessarily get passed on to teachers by school administrators.
- The success of these resources in reaching teachers through administrators was highly dependent upon principals sharing resources with teachers, with some principals actively suggesting resources to teachers and others not bringing resources forward. School administrators do not necessarily have time to review all the resources before distributing them, so distribution could be inconsistent and ad hoc. In addition, board personnel sometimes felt uninformed when it came to the distribution of the resources, as resources seemed to go straight from the Ministry to schools without the board necessarily being alerted.
- The methods of obtaining feedback on the resources were quite informal. Until the 2014 evaluation, there was no official means of

collecting feedback from teachers, administrators and board personnel on the use and usefulness of the resources.

In December 2017 and January 2018, the Ministry surveyed educators for feedback on the 2016 renewed math strategy. The survey included feedback on educator resources. In reviewing the survey, we found that the feedback from educators echoed findings from the 2014 evaluation report. Specifically, most educators still did not find math learning and teaching resources very useful. Of the 17 resources listed in the survey, there were only two that at least 50% of educators said were among their most useful. These were the math curriculum document (50%) and the manipulatives resource (objects or materials that students can touch and move around in order to help them learn mathematical and other concepts), which 65% of respondents found most useful. In comparison, of the remaining 15 resources reviewed, only 2% to 38% of educators found them to be among their most useful.

In the survey we conducted of teachers, we asked them how useful they found resources provided by the Ministry or their school board regarding the eight new and revised curricula that had been released in the last three years (2017-2020). More than one-quarter (26%) of respondents said they were not provided any resources related to the curriculum they are responsible for. This ranged from 18% for the Kindergarten Program to 47% for the Cooperative Education Grades 11 and 12 curriculum. For those respondents who indicated that they had been provided with resources, for the eight curricula combined, 41% noted the resources were not useful or only somewhat useful, while 16% considered them useful, or very useful.

Further, teachers overwhelmingly (87%) responded to our survey that they would find it valuable to provide input and feedback to the Ministry during the development of resources. However, only 3% of teachers indicated that the Ministry had ever solicited their feedback when developing resources.

RECOMMENDATION 5

In order to provide teachers and other educators with useful resources and materials needed to support teaching the curricula, we recommend that the Ministry of Education, in conjunction with the school boards:

- communicate the availability of new resources to teachers and school board staff upon the release of the resources, including where and how they can be accessed;
- collect feedback and input from teachers on the usefulness of the resources and on suggestions for improvement, through surveys or other means, within two years of releasing the resources; and
- use and incorporate feedback received into future resource development.

MINISTRY RESPONSE

The Ministry is committed to building on and strengthening the provision and awareness of curriculum resources for educators. The Ministry is developing a Curriculum and Resources website. This new digital space will help educators access curriculum and learning resources in a user- and mobile-friendly manner and will become increasingly interactive over time with new content and features based on user feedback. The platform will be available in both French and English at all stages.

As a timely understanding of the effectiveness of resources for educators is important, the Ministry will engage with education partners to explore effective ways to solicit this feedback and their perspectives in a reasonable time period to assess the effectiveness of a curriculum resource.

The Ministry will also respond to feedback on curriculum resources in ongoing resource development, including analysis of additional sources of feedback when available.

4.2.3 Training Provided to Teachers on Implementation and Assessment of New or Revised Curriculum Is Not Reaching Enough Teachers in a Timely Way

For a curriculum to be implemented effectively, educators must understand and be knowledgeable about the curriculum. Educators must also know how to implement and teach the curriculum using a variety of instructional strategies and methods to meet their students' learning needs and be prepared to provide students with suitable and high-quality instructional materials and resources. School boards and schools that bear the responsibility for implementing the curriculum must also be given enough time to properly train teachers on how to implement the curriculum and provide teachers with instructional materials and resources.

Little Time between Release of Curriculum and Implementation Date

For five of the most recently released or revised curricula, we reviewed the amount of lead-time the Ministry provided to school boards and schools to allow them to properly prepare teachers with training and provide them with appropriate instructional materials and resources to be able to effectively implement the curriculum.

We found that in four of the five recently revised curricula we reviewed, the curriculum was released without sufficient time for school boards and schools to review the curriculum and prepare teachers and instructional materials and resources to properly implement the curriculum. Specifically, the Health and Physical Education Elementary 2019 curriculum was released on August 21, 2019, just 10 days before schools were required to implement it on September 3, 2019. The First Nations, Métis, and Inuit Studies Secondary 2019 curriculum was released in May 2019 for a September 2019 implementation; the Grade 10 Career Studies Course 2019 was released in July 2019 for a September implementation that same year; and the Mathematics Elementary 2020 curriculum was

released at the end of June 2020, only two months before the target implementation date of September 2020. In each of these cases, the curriculum was released during or immediately prior to the period when teachers are not typically working.

As stated, the Ministry released the Elementary Math curriculum at the end of June 2020. The curriculum underwent a full revision to its content and structure. For example, new content was added, including curriculum components for financial literacy (to build understanding of the value and use of money, basic concepts of financial management, and to develop consumer and civic awareness), social-emotional learning skills (meant to help students to develop confidence, cope with challenges and think critically). It follows that these new concepts will take time for teachers to fully understand and prepare strategies to implement. In addition, the new curriculum added specific expectations relating to computer programming concepts (coding) and skills to connect math with real-life problem solving, and the algebra component was changed to focus on algebraic thinking and reasoning, in addition to recognizing patterns.

To be fully implemented, these changes will most likely require significant shifts in program development, instructional practice and pedagogy, particularly for teachers with less background in mathematics, coding and financial literacy. Teachers will also require practical resources that are aligned with the revised curriculum. However, the curriculum was released at the end of a 10-week school closure due to COVID-19. This means that teachers will need time to be able to address their students' potential learning gaps, which may have widened due to the circumstances with the pandemic and school closures, at the same time as they are expected to implement the new curriculum. At the time of our audit, the Ministry had developed resources for the new elementary math curriculum, including an overview of the changes to the curriculum, key concepts, sample activities and glossaries.

Two of the school boards we engaged with told us that they would like to receive new or revised curriculum six to eight months prior to it being implemented. Another board told us that it needs three to four months before the beginning of the school year, at a minimum, before being expected to implement any new or revised curriculum. The fourth board said it would like to receive the curriculum 12 months in advance (in the fall for implementation in the fall of the following school year). It stated that this timeline would allow its school board and school staff to understand the curriculum changes and determine the professional learning required for teachers, both for curriculum content and pedagogy (instructional strategies and practices). School boards also noted that the longer timeline they are requesting before implementation of a new or revised curriculum would give the board and its schools enough time to make sure they are able to provide teachers with proper resources, and would also give publishing companies enough time to create new textbooks and other resources that are aligned with the new curriculum.

Specifically, in regard to the Elementary Mathematics 2020 curriculum released at the end of June 2020 and required to be implemented in September 2020, all school boards we spoke with told us that this was not enough time to prepare teachers and provide them with instructional materials and resources to properly implement the curriculum. In fact, one school board told us that, without sufficient time between the release of new curriculum and the implementation date, the curriculum would initially be implemented at a surface level. A further concern this board expressed is that with such a short lead-time, teachers would not understand the revised curriculum content in any adequate depth or have the knowledge of instructional strategies and practices they should be using to be able to deliver it effectively.

In the survey we conducted of teachers, we obtained their opinion on whether they were provided with enough time to understand and prepare so that they could effectively implement the eight

new or revised curricula that had been released in the last three years (2017-2020). Between 57% (Social Studies Elementary) and 97% (Math Elementary) of teachers responsible for implementing each respective curriculum indicated that not enough time was provided to understand and prepare the content for implementation.

In addition, 46% of teachers indicated that, in order for them to effectively implement a new or revised curriculum in their class, they would typically require that the curriculum be released at least three to six months prior to the implementation date. A further 43% said more than six months is needed.

Ministry Training for New or Revised Curricula Not Always Provided before the Curriculum Takes Effect

The Ministry often provides training to some staff at school boards and schools, including classroom teachers, curriculum leads in schools and senior school board staff with responsibilities related to the applicable curriculum. School board and school staff who attend the Ministry training are encouraged, but not required, to train teachers in their school board. In addition, the Ministry often provides school boards with funds to be used for training and instructional materials and resources that teachers can use to implement the new or revised curriculum.

For the five most recently released new or revised curricula we reviewed, we noted that the Ministry had provided training for three: the new Cooperative Education Secondary 2018, Health and Physical Education Elementary 2019, and Mathematics Elementary 2020 curricula, as noted in **Figure 12**. In the case of the Cooperative Education Secondary curriculum, the Ministry held face-to-face training with a select number of educators from each school board in April 2018, five months prior to when schools were required to have it implemented. In the case of the revised Health and Physical Education Elementary curriculum, in July 2019, the Ministry contracted the Ontario Physical

Figure 12: Ministry Training Provided for New or Recently Revised Curricula

Source of data: Ministry of Education and survey conducted by the Office of the Auditor General of Ontario

Revised Curriculum	Date Implemented	Ministry Training Provided (Y/N)	Date(s) Training Provided
Cooperative Education, Secondary (2018)	Sep 2018	Y	Apr 2018
First Nations, Metis, and Inuit Studies, Secondary (2019)	Sep 2019	N	n/a
Career Studies Course, Grade 10 (2019)	Sep 2019	N	n/a
Health and Physical Education, Elementary (2019) ¹	Sep 2019	Y	Oct 2019–May 2020*
Mathematics, Elementary (2020) ¹	Sep 2020	Y	Aug 2020–Sep 2020

* Training sessions were held between October 2019 and May 2020. Five training sessions were held in each of English and French.

and Health Education Association, a subject association, to develop five training webinars, which were made available to teachers and other educators between October 2019 and May 2020, within eight months after schools were required to implement the revised curriculum (September 2019). For the Mathematics Elementary curriculum, the Ministry held a series of webinars for school board and school staff in August and September 2020.

However, as of September 2020, the Ministry had not yet provided any training for the other curricula we reviewed: Grade 10 Career Studies Course 2019 and First Nations, Métis, and Inuit Studies Secondary 2019, implemented in September 2019. The Ministry told us regional implementation sessions had been developed for the Career Studies Course 2019, but had not yet been scheduled due to COVID-19. The Ministry is working with community partners to develop and facilitate implementation sessions for the First Nations, Métis, and Inuit Studies Secondary 2019 curriculum, but the timing to provide this training had not yet been determined.

A majority of teachers we surveyed responded that they did not receive training specific to the implementation of the eight curricula released between 2017 and 2020 (for those which they were responsible to teach). Across the eight curricula, on average, 57% of teachers said they did not receive training. This ranged from 48% of teachers who taught elementary math to 70% who taught the Career Studies course. Additionally, of those who did receive training, only 8% responded that it was useful, or very useful.

At Least One-third of Teachers Were Not Satisfied with Ministry Training Related to the 2016 Math Strategy

Educators' feedback from the survey the Ministry conducted in December 2017 and January 2018 on the renewed math strategy also provided some insights into educators' experiences with the math professional learning that they had been engaged in since the launch of the Ministry's Renewed Math Strategy in fall 2016. Some results were concerning, for example:

- 37% of educators did not think that the professional learning they had been engaged in was time well spent.
- 39% did not feel their confidence in learning and teaching math had increased because of the professional learning.
- 34% said they had not gained any new knowledge and understanding about math, while 31% said they were not able to apply the new knowledge to shift their practice and do their work differently as a result of the professional learning.

These survey results indicate that many educators felt that the math professional learning was not useful and did not have a positive impact on student learning in math. However, at the time of our audit, the Ministry had not taken any significant action to address how to improve professional learning in math for teachers.

RECOMMENDATION 6

To allow teachers to understand new or revised curriculum in adequate depth and to have the knowledge of instructional strategies and practices they should be using to be able to deliver it effectively, we recommend the Ministry of Education:

- provide a sufficient amount of lead-time prior to the curriculum implementation date, ranging from six months to one year, depending on the scope of revision; and
- deliver the necessary training, tools and resources to teachers several months before the curriculum is to be taught.

MINISTRY RESPONSE

The Ministry recognizes the value of access to a new curriculum ahead of a mandatory implementation date. The Ministry will work toward establishing a consistent time between the issuance of curriculum and the mandatory implementation date, as part of its development of a risk-based approach to curriculum renewal.

The Ministry will provide educators with training, tools, and resources before mandatory implementation of curriculum. The Ministry will also continue to provide these opportunities and resources during the implementation phase so that educators benefit from on-the-job training.

4.2.4 Many Textbooks Are Old and Contain Outdated Material and Information No Longer Relevant to Students

In order to make sure that textbooks used by students are aligned with the Ontario curriculum expectations and adhere to other Ministry policies and priorities, the Ministry has a list—one for the English-language curriculum and one for the French-language curriculum—of approved textbooks for most subjects and courses, known as the Trillium List/Liste Trillium ().

Although school boards and schools are not required to use textbooks from the list in their classrooms, if a school or teacher wants to purchase a class set of textbooks, it must be from the list. In addition, teachers can also use resources or lesson supports found elsewhere, such as on EduGAINS, the Ministry's website for resources that contains materials developed by the Ministry and from subject associations or other educational providers.

To make sure students are provided with the most current information possible, textbooks should be reviewed and updated periodically. How often textbooks should be updated is influenced by the subject matter. For example, it is reasonable that English and Math textbooks would not have to be changed as often as science and computer studies because their information does not change as frequently.

The Ministry sets out eligibility criteria and requirements that textbooks must successfully meet before it approves a textbook for use in schools. Most importantly, the textbook content must cover at least 85% of the curriculum expectations in an elementary subject or secondary course. Among other things, textbooks must also be accompanied by a teacher's resource guide; use Canadian examples and references wherever possible; support a broad range of instructional strategies and learning styles; provide opportunities for students to engage in higher-order thinking and problem solving, and be appropriate for students from diverse backgrounds and at different levels of learning ability.

There is no limit on the number of years an approved textbook can remain on the Trillium List and be used in schools. Only when the curriculum is revised would textbooks be re-evaluated to determine if they still meet the Ministry's eligibility criteria or if an entirely new textbook needs to be created. Textbooks are not periodically re-evaluated or regularly reviewed to assess the currency and relevance of the information and whether they are still an appropriate and suitable resource for students. As noted in **Section 4.1.1**, several Ontario curricula have not been revised for over a decade and many

of the corresponding textbooks on the list are just as old. For example, we reviewed the approved English-language textbooks on the list for math and science and found:

- Textbooks for the Grade 9 and 10 Math curriculum, last updated in 2005, have been on the list for an average of 15 years since they were initially approved. In fact, more than half of the approved textbooks were published prior to the release of the revised curriculum and are on average 19-years old. The Ministry told us that that these textbooks would have undergone a re-evaluation when the curriculum was revised in 2005 to ensure that they still met the criteria for approval and supported the curriculum, but they have not been re-evaluated since that time.
- Textbooks for the Grades 11 and 12 math curriculum, last updated in 2007, have been on the list for an average of 12 years since they were initially approved.
- Secondary science textbooks have been on the list for an average of nine years since they were initially approved, while elementary science textbooks have been on the list for an average of 11 years.

Although these textbooks covered 85% of the curriculum content at the time they were last revised, they do not always reflect current social, political and environmental issues. The currently available Grade 11 marketing textbook, which was published in 2003 and has been approved for use until August 31, 2021, contains several instances of outdated material. For example, the textbook references Future Shop as a leader in e-commerce in Canada; however, it has been five years since Future Shop ceased operations. The book also references a survey that includes the top five reasons consumers are reluctant to shop online. However, the survey was conducted nearly 20 years ago and a lot has changed with regard to online shopping and consumer behaviour since then. Other examples in this textbook include discussion of DVD rentals, and the Nintendo Gamecube, neither

of which are current or relevant to students in 2020. As another example, we noted a school using a Grade 10 History textbook, published in 2000, which includes discussion of “Aboriginal Peoples”, which is no longer acceptable terminology. Moreover, although this book is being used by students, it is no longer on the list and therefore should not be used in the classroom.

Outdated information and information that is not appropriate for students from diverse backgrounds and at different levels of ability does not promote understanding and will require the teacher to supplement the textbooks with other resources. School board staff we spoke with at three of the school boards with which we engaged also raised concerns about the age of textbooks, noting that they provide a good base for teaching but that the content needs to be relevant and relatable for students. One of the school boards told us that, for this reason, emphasis has been placed on online learning materials and digital interactive resources. Administrators at the fourth board we contacted did not have an opinion on whether textbooks on the Trillium List are outdated.

At the time of our audit, we further noted that the Ministry was not aware when publishers would be developing new textbooks or updating existing textbooks to align with the revised Math Elementary curriculum released in June 2020. Since the new math curriculum was released just two-and-a-half months before the start of the school year, the elementary math textbooks on the list should have been reviewed and updated to allow schools to purchase books before the start of the school year.

While the Ministry provides funding for the purchase of all learning and teaching resources through its Grants for Student Needs, school boards and schools make all decisions concerning the selection, purchase and use of all resources. The Ministry does not track which resources schools select or use or how much funding is expended on the purchase of these resources. The school boards we spoke with also confirmed that they do not track the utilization of textbooks or other resources in

their schools as it is often the case that different schools within a board use different textbooks for the same subject or course. Neither the Ministry nor school boards are therefore able to determine which textbooks, if any, are most widely used and preferred by teachers. Such information could help schools acquire textbooks at a lower price through bulk purchasing.

In the survey we conducted of teachers, 43% of respondents indicated that no textbook was provided to them for the classes they teach. Of those who noted they were provided with textbooks, 61% said the textbook was not current and relevant to the current curriculum. For example, one high school teacher noted that “all high school math textbooks are at least 10 years from their original publication date. We no longer have funding to replace damaged books, so we work with fewer books than students. The curriculum hasn’t been updated since 2005 or 2008, depending on the course. So, our courses and textbooks are not relevant to current technology, pedagogical content knowledge and trends in math education globally. We are severely out of date.” In another example, a teacher responded that “books for English and French class are too old and not reflective of students’ lives in 2020 and/or are not diverse. There is no specific money being provided to allow teachers to purchase new resources, so people end up using the same old stuff that is now decades old. Department budgets are so small that they cannot provide this either.” Similarly, another teacher noted that for a Grade 10 Canadian history course, the textbook “does not reflect the significant addition of Indigenous history and the histories of minority groups in Canada that we are required to teach in the new curriculum”.

As part of our survey, we also asked classroom teachers overall what supports their school boards could provide to help them better implement curricula more effectively for their students. The top three supports identified by teachers of special needs students were support personnel (85%); resources teachers (67%); and instructional materials, including teaching strategies and methods (49%). The

top three supports identified by teachers of students without special needs were time to explore and discuss with colleagues (80%); instructional materials, including teaching strategies and methods (72%); and training and professional development (69%).

RECOMMENDATION 7

To provide students with textbooks for their studies that are relevant and relatable, we recommend the Ministry of Education:

- review the listing of textbooks on the Trillium List and gain assurance that they are current and relevant to student learning for each subject;
- discontinue the ability to purchase textbooks that are no longer considered relevant; and
- ensure textbooks are made available for the Math Elementary 2020 curriculum.

MINISTRY RESPONSE

The Ministry agrees with the Auditor General that textbooks are an important resource for students and that they should be relevant and relatable. The Ministry also recognizes the various other resources related to current and new curriculum that educators and student use, including digital resources.

The Ministry will work with textbook evaluation partners toward completing a periodic review of textbook titles for each subject/course on the Liste Trillium List to ensure they are current and relevant.

While school boards are responsible for the provision of textbooks, the Ministry commits to communicating the roles and responsibilities of school boards as it relates to the purchasing of textbooks and informing the boards of textbooks when they are no longer considered relevant, and should therefore not be purchased.

The Ministry is reviewing the recommendations provided by the textbook evaluation partner on a number of textbooks for the revised elementary Mathematics curriculum.

RECOMMENDATION 8

In order to determine which textbooks, if any, are most widely used and preferred by teachers, we recommend school boards track the utilization of textbooks in their schools and use this information to make bulk purchase orders, potentially lowering overall cost.

RESPONSE FROM SCHOOL BOARDS

The Near North District School Board will implement a process to track the utilization of textbooks in our schools and use this information to make strategic purchases, potentially lowering overall cost.

At the Catholic District School Board of Eastern Ontario, textbook purchases are done through the purchasing department. The board will use this information to track and analyze utilization across schools. Further, the school board has begun piloting programs using digital resources for some subjects, rather than traditional textbooks, which will allow the board to document and track school and student preferences and usage while ensuring that textbooks are relevant and reflect current curriculum content.

The District School Board Ontario North East commits, within a two-year timeframe, to tracking the utilization of textbooks in schools. The school board has already begun to take steps to streamline the use of resources in the district. One step that was taken was the purchase of board-wide licenses for Math and Literacy resources.

The Toronto District School Board purchasing department staff will investigate methods of tracking and assessing textbook utilization in its schools, and opportunities for bulk purchasing from publishers and distributors with a view to possibly reducing cost. TDSB staff is also reaching out to purchasing colleagues in other school boards to determine if any can share best practices in bulk textbook ordering.

MINISTRY RESPONSE

The Ministry commits to encouraging school boards to continue to examine their resource purchasing practices.

4.3 Classroom Assessment of Student Learning

Teachers rely on a wide variety of assessment strategies to inform them about their students' knowledge, understanding and abilities. These strategies include observation, student-teacher conversations and student work and testing. Information received through these strategies is crucial for teachers to be able to plan and implement an instructional program for the class as a whole, while being able to modify the plan based on individual student capabilities and needs. Assessments also provide teachers with benchmarks against which to assess the performance of students.

4.3.1 Ministry Policy on Assessment and Evaluation Does Not Clearly Define Student Performance Standards to Enable Greater Consistency in Assessment

Assessment is the ongoing process of gathering information that reflects how well a student is achieving the curriculum expectations in a subject or course. The primary purpose of assessment is to provide students with feedback and supports to improve student learning. Evaluation refers to the process of judging the quality of student learning (through assignments and tests) and assigning a value or grade to represent that quality.

Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools, Kindergarten to Grade 12, 2010 (Growing Success), the Ministry's key policy document for student assessment and evaluation, states that its purpose is to promote fairness, transparency and equity. The policy document further states that students and parents need to know that evaluations are based on evidence of

student learning and that there is consistency in the way grades are assigned across school boards and schools throughout the province. This knowledge is also key for students to confidently make decisions about secondary pathways and post-secondary opportunities.

We reviewed the policy document and noted that although a framework for consistency exists, the policy does not clearly define the performance standards against which teachers are to evaluate their students. The policy relies on the professional judgment of teachers when assessing student performance, and, although each teacher may have a reasonable basis for the judgment they apply, inconsistencies in student assessment are almost assured.

The key tools used to guide the evaluation of student performance are achievement charts included in each curriculum document and described in the policy, *Growing Success*. An achievement chart identifies four areas in which students are to be assessed: knowledge and understanding, thinking, communication and application. For each area of assessment, the chart identifies four levels of achievement. However, the different levels of achievement are not clearly defined and are subject to interpretation. A teacher is to judge whether a student demonstrates limited (level 1), some (level 2), considerable (level 3), or a high degree/thorough (level 4) knowledge of content or understanding of concepts. The policy does not define the terms associated with each level such as providing information on what would be considered a thorough level of knowledge.

Ministry policy requires that students demonstrate overall expectations but not all specific expectations. Teachers decide which specific expectations in the curriculum to include in the evaluation of overall expectations toward a student's grade. Moreover, teachers are also to select how much relative importance to place on each specific expectation. This adds further inconsistencies to the process of student evaluation.

The need for more clarity in the Ministry's assessment, evaluation and reporting policy was

noted in research commissioned by the Ministry in Spring 2019 to inform the elementary math curriculum. Researchers from universities across Canada reported that teachers want and need more guidance on assessment. They need a clear understanding of what is to be assessed, as well as the criteria with which to assess their students. Other research the Ministry cited on student assessment of mathematics in Ontario (including faculties of education consultations, and the Ontario Colleges Mathematics Council position paper on the K-12 mathematics curriculum), also echoed these statements.

Further, the final report of the Independent Review of Assessment and Reporting, *Ontario: A Learning Province* (April 2018), completed by the education advisors to the Premier and the Minister of Education, noted the need for revision to the evaluation policy. The report noted that teachers, schools and board leaders expressed a lack of clarity as to what aspects of the province-wide policy needed to be applied consistently versus what aspects are more open to local discretion. At the time of our audit, the Ministry did not have an action plan in place to address the recommendations from this report, nor was it tracking whether any of the recommendations have been implemented, including providing further clarity to provide consistency to assessment practices.

To better understand whether teachers were provided with instruction on assessment practices, which would promote consistency through their studies toward becoming a teacher, we reached out to faculties of education at Ontario universities regarding Ministry guidance provided to them for teaching assessment practices to student teachers. Each faculty of education we contacted indicated that they base teaching on the Ministry assessment policy, *Growing Success*, and that much of the student teachers' learning regarding assessment strategies is through the practicum component of their program in which they are mentored by a classroom teacher in a school.

RECOMMENDATION 9

We recommend that the Ministry of Education update its assessment policy, *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools*, 2010, to provide teachers with further guidance and tools regarding assessment, including definitions of the various levels of achievement, formal criteria in each learning category and examples of student work at the various levels, as well as guidance on assessment during remote learning for all grade levels.

MINISTRY RESPONSE

It is an ongoing Ministry priority to provide educators with policy guidance required to support assessment, evaluation and reporting of student achievement. The Ministry recognizes that there are opportunities to strengthen its guidance in these areas.

The Ministry will move forward with a review and engagement with education and community partners in order to develop additional policy guidance.

4.3.2 Ministry's Key Policy on Student Assessment and Evaluation Is Not Culturally Relevant and Responsive to Student Needs

The policy document *Growing Success* also needs to be updated to reflect changing curriculum and modes of curriculum delivery. *Growing Success* mentions that policies and procedures for assessment, evaluation and reporting need to develop over time as more information is available about how students learn. However, the policies in the document reflect the state of knowledge about the learning experience at the time it was published 10 years ago, in 2010. The report of the Ministry's independent review, *Ontario: A Learning Province (2018)*, also brought up the issue that the current document does not include policy or guidance concerning culturally relevant assessments and noted focused revisions and updates of *Grow-*

ing Success are required to take into account changing knowledge about assessment and new commitments to early childhood learning, equity, inclusion, special educational needs, culturally relevant and responsive pedagogy and the use of technology. The following also emphasize the need for culturally and linguistically relevant and responsive education practices:

- The Ministry's 2017 *Equity Action Plan* was developed to provide guidance in identifying and eliminating discriminatory practices, systemic barriers and bias from schools and classrooms through changes to practices and organizational culture;
- *First Nations, Métis, and Inuit Education Policy Framework* includes approaches for schools and school boards to boost Indigenous student achievement, help close the gap in achievement between Indigenous and non-Indigenous students, and increase public confidence in publicly funded education. Strategies include increasing the number of Indigenous staff working in the Ministry to support school boards, improving students' literacy and numeracy skills, training teachers in teaching methods that are appropriate for Indigenous students, and encouraging more parents to get involved in their children's education or school. Although this framework was introduced by the Ministry of Education in 2007 with a 10-year life, the Ministry told us that school boards are still using it as a guide; and
- *Politique d'aménagement linguistique de l'Ontario pour l'éducation en langue française* is a policy to foster well-being by promoting and expanding the francophone context in which the students are educated to meet their linguistic, educational and cultural needs.

Moreover, learning from home as a result of school closures due to COVID-19 highlighted the need to update the policy document in regard to e-learning and online/virtual assessment of students. Currently, *Growing Success* includes a short

section on e-learning; however, this section focuses on e-learning for students at the secondary level working on completing graduation requirements and preparing for post-secondary destinations. Although the policy mentions that online courses meet the same rigorous assessment and evaluation standards as courses taught in traditional classrooms, it does not give specific examples or direction of how this is achieved, given the different modes of interaction and ways for students to demonstrate their knowledge.

RECOMMENDATION 10

We recommend that the Ministry of Education update its assessment policy, *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools, 2010*, to reflect the most current knowledge about assessment, equity, inclusion, special educational needs, culturally relevant and responsive pedagogy and the use of technology for remote learning.

MINISTRY RESPONSE

The Ministry is committed to equity, inclusion, anti-discrimination, anti-racism, human rights and support for the success of all students across our education system. This commitment permeates across our work in curriculum, assessment, evaluation and reporting, as well as in the delivery of education both in-person and remotely. This lens will be applied to our work in response to **Recommendation 9** in which the Ministry is committed to develop additional policy guidance.

4.3.3 Ministry and School Boards Do Not Provide the Necessary Oversight to Ensure Consistent Assessment of Students

Given the degree of professional judgment that can be applied when using the Ministry's assessment and evaluation policy, there is opportunity for there to be differences in interpretation and

application of the policy. The 2018 report, *Ontario: A Learning Province*, by the education advisors to the Premier and Minister of Education, reported that there is a strong desire among educators for continued and increased trust in teachers' professional judgment and also a desire to build more consistency in understanding and practices for assessments across classrooms, schools and school boards, thereby making it necessary to find the appropriate balance between consistency and being able to address local needs. According to the report, potential solutions included professional learning and development to support educators' individual assessment knowledge, skills and practices, and collaborative learning to develop shared understanding and practices. There was also interest expressed for moderated marking (teachers marking an assignment separately, then discussing differences in assessment to collaboratively agree on an approach) and professional collaboration within and across schools, with district teams, and educator networks across the province.

Until 2006, the Ministry provided teachers with exemplars of assessments that demonstrated the characteristics of student work at each level of achievement for each grade. However, the Ministry stopped producing the exemplars and, instead, began to embed more support (i.e., teacher prompts, sample questions and examples) directly in the revised curriculum document alongside specific expectations, and also throughout the curriculum. Although this was useful, a recurring comment from teachers in previously conducted studies and research was that teachers would appreciate examples demonstrating what assessment principles and strategies look like in practice, and materials and resources that they could use, such as assessment scoring guides (rubrics). Two faculties of education we contacted also told us that they continue to use the older Ministry exemplars in course work with student teachers, as the exemplars are helpful in understanding varying levels of performance when assessing student work. One faculty of education further told us that the

Ministry should continue to produce the exemplars, but should produce multiple exemplars of a level so as to make teachers aware that performance at a specific level could be presented in various ways.

It follows that continuous oversight is needed by the Ministry and school boards to ensure that students are consistently assessed and evaluated across the boards and the province. We engaged an advisor for the audit with 35 years of experience as an educator, 10 of which were in the role of school principal. Our advisor noted that key to guidance regarding assessment are concrete materials, types of tests and exemplars of the assessment of student work that teachers can use in their classrooms to assess students and report back to their principal and, ultimately, to the Ministry, to show that students are meeting the expectations as laid out in curriculum documents.

The Ministry's role concerning consistency in student assessment is to develop curriculum and to develop and require implementation of curriculum assessment policies intended to provide consistent direction to school boards. To this end, the Ministry last released its main assessment policy, *Growing Success*, in 2010.

School boards have responsibility for ensuring schools are appropriately implementing student assessment and evaluation policies and typically have board-level curriculum leads to provide support in curriculum implementation and assessment practices. Neither the Ministry nor the school boards we spoke with do work to systemically ensure that consistency in assessment is occurring across schools or boards. We were told by all school boards we spoke with that any review of teacher assessments to ensure consistent practices is completed at the school level. The school boards also noted that this might be done through teacher performance appraisals completed by principals as comments in the performance appraisal templates, and that the process is meant to reflect the quality of implementation and assessment of students' learning of the curriculum expectations. However, as previously noted, teacher performance apprais-

als are only required to be completed once every five years for experienced teachers. Therefore, this is not an effective process to ensure students are being assessed and evaluated consistently on an ongoing basis.

Due to school closures resulting from COVID-19, we were unable to visit schools to discuss and review assessment practices. However, we interviewed a sample of principals of elementary, middle and high schools, as well as curriculum leads from high schools from the four selected school boards we audited. Only one of the five secondary school principals informed us that their students write common exams for all subjects and in all grades and that students who take the same course write the same exam. The school principal and curriculum lead at this school noted that having students write common exams promotes consistent teaching and evaluation and enhances accountability among teachers. It is a way to make sure that teachers are covering all topics and units in the curriculum. Further, although teachers have the flexibility to choose how to teach the curriculum, having students write a common exam prevents teachers who may not like teaching, or struggle with teaching, a certain unit or topic from skipping it or not teaching it thoroughly, since their students are going to be tested on it. They also noted that it encourages teachers to collaborate and be transparent about what they are teaching, which also promotes consistency in teaching.

Inconsistencies Noted between EQAO Results and Marks Assigned by Teachers

One of the school boards we visited conducted an analysis comparing student EQAO marks to report card marks for Grade 3 and Grade 6 students for the three school years 2016/17-2018/19. The results showed inconsistencies between EQAO results and marks assigned by teachers. A higher proportion of students achieved at levels 3 and 4 in EQAO assessments for reading and writing in both the primary and junior division than the proportion that achieved at levels 3 and 4 for teacher marks.

Conversely, a considerably lower proportion of students achieved at levels 3 and 4 in EQAO assessments compared to teacher marks in mathematics for both the primary and junior division.

We also compared student report card marks to the students' EQAO levels in those subjects tested by EQAO (namely, Grade 3 math, Grade 6 math and Grade 9 applied and academic math) for all students in the province. Similar to the results the school board found, we found that there were inconsistencies between EQAO marks and classroom marks, which again suggest inconsistencies in classroom assessment and the standardized evaluation occurring across the province. Neither the Ministry nor the school board could provide us with a reason for the differences between EQAO results and marks assigned by teachers. The Ministry did note that large-scale assessments like EQAO differ from classroom assessment and evaluation in their purposes and in the way they are designed, administered and scored.

Post-secondary institutions know there are inconsistencies in student assessment and evaluation among secondary schools. As evidence of this fact, a national news outlet reported in 2018 that the Faculty of Engineering at one Ontario university has been using a list of which Ontario high schools' marks matched the marks their graduates got in the first year of engineering school, and which did not. The media report noted that the university made a list of which high schools' graduates had small variances and which had large ones – they called this the adjustment factor, and used this when assessing applicants. We discussed this with the Associate Registrar at the Admissions Office at the university who told us that the adjustment factor gets updated every year and that it has been using this practice for decades. The university posts this practice publicly on its engineering webpage. We discussed this practice with other university admissions offices in the province. They all told us that they did not apply any adjustment to student marks based on the high school they attended.

RECOMMENDATION 11

To gain assurance that consistency in student assessment is being achieved across the province and in each particular board, we recommend the Ministry of Education:

- require school boards to analyze student performance data (that is, the consistency between EQAO scores and classroom grades);
- compile and analyze data provided by school boards;
- follow up and address issues where consistent assessment does not appear to be the case; and
- establish a province-wide educator network to create and share assessment materials, strategies and practices.

MINISTRY RESPONSE

The Ministry will continue to support school boards in analysis of their local data about student achievement, including EQAO assessment results and student course/report card marks, and require them to compare EQAO scores with classroom grades.

The Ministry will explore options for expanding the scope of data available to boards for analysis through the interactive tools the Ministry has posted for boards on the Ministry's Education Information Centre.

The Ministry will compile and analyze data submitted by boards to identify notable trends and insights related to student achievement.

In instances where analysis of data indicates possible data-quality issues and inconsistencies in assessment, the Ministry would facilitate follow-up and review.

The Ministry will build on current networks, such as the Managing Information for Student Achievement leads in school boards, to support the creation and sharing of assessment materials, strategies and practices among educators. The Ministry will explore options with our education partners on how we can work together to develop and maintain this network.

4.4 Province-Wide Assessments

4.4.1 Ontario Students Perform Well on National and International Assessments, but Results Stagnating

Ontario students regularly participate in four inter-jurisdictional student assessments: one national and three international assessments. These are:

- The Pan-Canadian Assessment Program (PCAP) tests **Grade 8 students in science, reading and math** and is administered by the Council of Ministers of Education, Canada.
- The Programme for International Student Assessment (PISA) tests **15-year-old students in science, reading and math** and is administered by the Organisation for Economic Co-operation and Development.
- The Trends in International Mathematics and Science Study (TIMSS) tests **Grade 4 and Grade 8 students in science and math** and is administered by the International Study Center at Boston College's Lynch School of Education.
- The Progress in International Reading Literacy Study (PIRLS) tests **Grade 4 students in reading** and is administered by the International Study Center at Boston College's Lynch School of Education.

Research indicates there are limitations to using international assessments for drawing more than broad-brush pictures about achievement in different countries. A 2014 paper by the Mathematics Education Research Group of Australasia noted limitations, including problems with competencies that cannot be easily demonstrated through a paper-and-pencil test tend to be neglected, and contextual and cultural differences among the countries. However, the paper does state that very rigorous methodologies are adopted in these studies, and hence, within the limitations, results are rather reliable and in using them, jurisdictions should focus on trends in achievement scores.

The latest assessment for which results are publicly available was the Programme for International

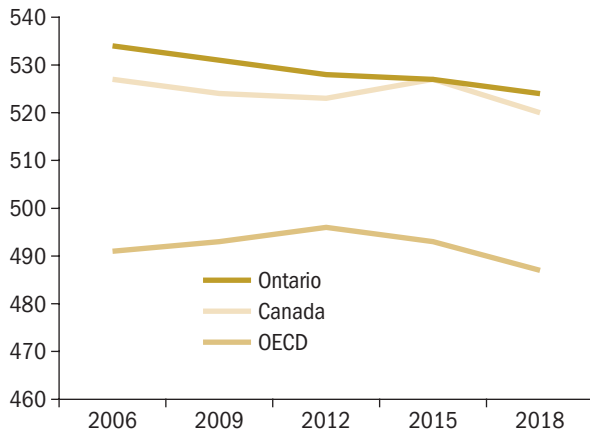
Student Assessment (PISA) in 2018. In all subjects tested (reading, math and science), Ontario performed above the average for all participating countries: that is, member countries of the Organisation for Economic Co-operation and Development (OECD), and Ontario performed either at or above the average for Canadian provinces. As a nation, Canada ranked fourth in reading, seventh in science and ninth in math, among the 79 participating countries. **Appendix 3** shows Ontario's performance, as well as the performance of all Canadian provinces, in the latest national and international assessments.

While both Ontario elementary and secondary students perform well on national and international assessments, Ontario has not been able to increase the proportion of students meeting baseline levels of achievement in these assessments. Over the last five test cycles of the PISA competition going back to 2006, Ontario's results have shown a steady decline in all three subjects tested (except for a slight increase in math between the 2015 and 2018 assessments) as seen in **Figure 13**. Although this downward trend is also the case for Canada as a whole and for the OECD, it is a signal that Ontario should be striving for improvement. Similarly, in national assessments through the Pan-Canadian Assessment Program (PCAP), Ontario performed well compared to other Canadian jurisdictions, performing second in reading, second in math, and third in science in the most recent assessment in 2016 of Grade 8 students. However, performance in all three subjects tested has declined or stagnated going back 10 years to 2010, as seen in **Figure 14**. Most concerning is that, while Ontario has continued to decline or stagnate, the Canadian average has continued to climb, surpassing Ontario in the 2016 math assessment. Improvement in math was noted in all provinces except Ontario, as well as improvements made by five provinces in each of reading (British Columbia, Manitoba, Quebec, New Brunswick, Nova Scotia and Prince Edward Island) and science (Manitoba, Quebec, New Brunswick, Nova Scotia and Prince Edward Island).

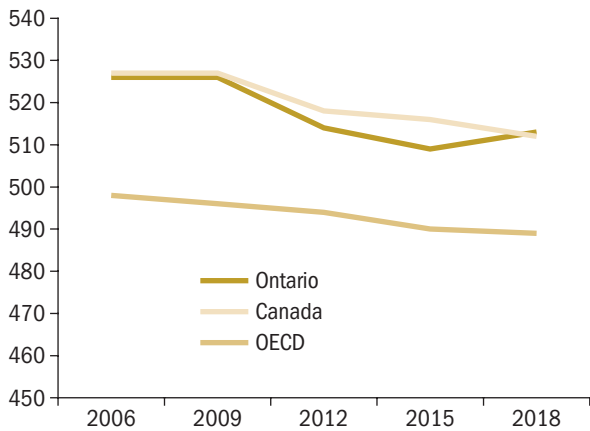
Figure 13: Programme for International Student Assessment (PISA) Results for Ontario Students, Every Third Year, 2006–2018

Source of data: Council of Ministers of Education, Canada

Reading



Mathematics



Science

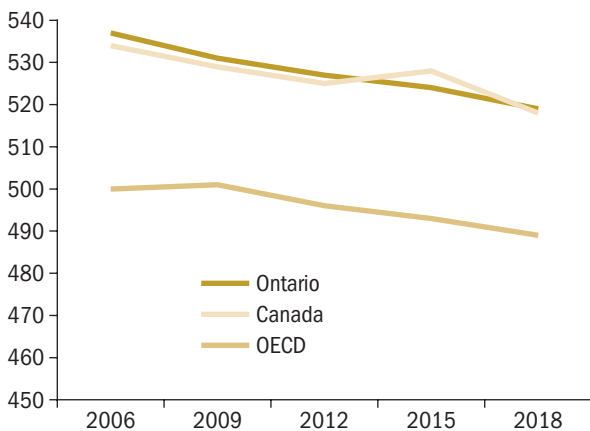
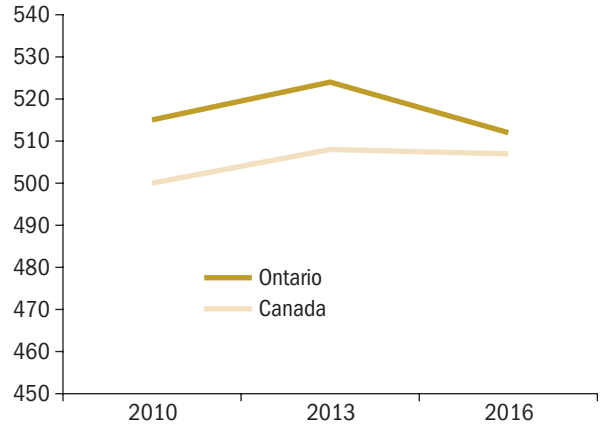


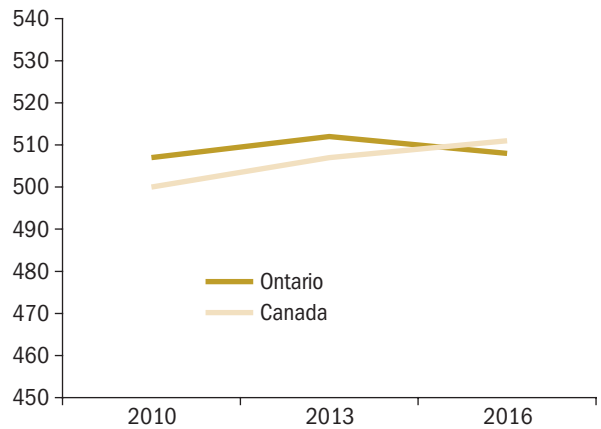
Figure 14: Ontario Pan-Canadian Assessment Program (PCAP) Results, Every Third Year, 2010–2016

Source of data: Council of Ministers of Education, Canada

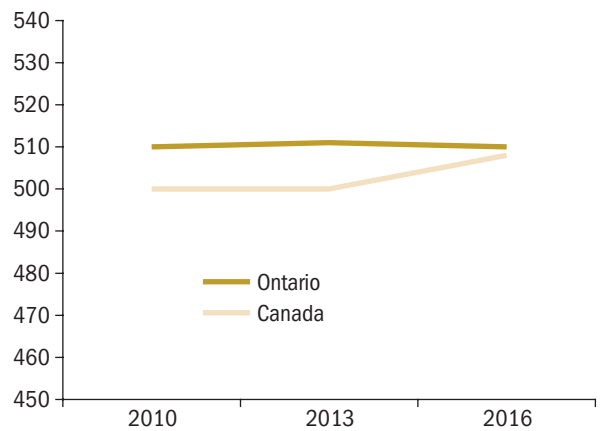
Reading



Mathematics



Science



We discussed with the Ministry whether it had determined the reason for Ontario's stagnating performance on the national and international assessments. The Ministry did not have a reason for why Ontario's performance has not improved over the years.

RECOMMENDATION 12

We recommend that the Ministry of Education include, as part of its curriculum revision, a process to investigate the causes where Ontario's performance in national and international assessments shows a decline or lack of improvement over time, and develop strategies to address gaps and shortcomings in student learning.

MINISTRY RESPONSE

The Ministry will regularly analyze Ontario's performance in national and international assessments to inform curriculum revisions, and explore strategies that address gaps in student learning.

4.4.2 The Narrow Assessment of Student Competencies Provided by the EQAO Does Not Provide a Good Measure of Overall Learning Achieved by Students across the Province or within School Boards

EQAO assessments test reading, writing and mathematics. This accounts for only two subject areas (language and math) of the seven mandatory subject areas offered in elementary schools and 18 subject areas offered in secondary schools. Assessments occur at four intervals in the span of a student's 12- to 14-year public schooling, but no standardized testing is scheduled in the student's senior years of Grades 11 or 12.

Similar to Ontario, all other Canadian provinces have standardized provincial assessments in select subjects and grades. However, in many cases, the test result counts to some degree toward the

student's final mark. As seen in **Figure 15**, seven provinces have standardized provincial testing in various subjects and grades at the secondary level which are worth some component of the final course grade, ranging from 10% to 50%, and in some cases a test must be passed in order for the student to graduate. For example, in Manitoba, Grade 12 students are assessed in both English (or French) and math and these province-wide assessments count for 30% of a student's final course grade in those subjects. Through these assessments, school boards and the ministries of education in those provinces can gain some assurance that a consistent minimum level of knowledge of the curricula has been learned by students across their province upon graduation.

As a further example, Alberta has a common final exam for Grade 12 courses in the subject areas of language, math, science and social studies. The courses in these subjects include English, French, Math, Biology, Chemistry, Physics and Social Studies. The exam mark is worth 30% of the respective courses' final grade. Alberta also conducts provincial assessments in Grades 6 and 9 which measure English, French, Math, Science and Social Studies. Numeracy and literacy are assessed in Grade 3; however, the results of those assessments are used internally and are not publicly shared.

We discussed the use of common final exams with the Ministry, which stated that, at this time, there are no plans to implement province-wide exams in place of classroom assessments and evaluations. The Ministry told us that its position is based on the 1995 Royal Commission on Learning Report, which indicated that, in the 1960s, the government discontinued exit exams for Grade 13 courses based on research findings that showed that exit exams were no more predictive of post-secondary success than teachers' classroom grades. Further, the exit exams introduced arbitrary barriers to success for some students and were very costly. In addition, the Ministry stated that having different exams and final evaluations across the province is beneficial as they can be planned to relate to the curriculum

Figure 15: Jurisdictional Comparison of Standardized Tests in Canada

Prepared by the Office of the Auditor General of Ontario

Province	Grades and Tested Subjects	Weight included in Final Grade
NL ¹	Grades 3, 6, 9 – Reading and Math	Not tied to grades
	Grade 12 – Sciences (Biology, Chemistry, Physics, Earth Systems), World History, World Geography, English/Français and Math	40%
NB ²	Grades 4 and 6 – Language (Reading), Math, Science	Not tied to grades
	Grade 9 – Language (English Language Proficiency Test)	
	Grade 10 – Reading (French), Math and Science	
	Grade 12 – French Oral Proficiency Assessment	
PE	Grades 3 and 6 – Language and Math	Not tied to grades
	Grade 9 – Math	10%
	Grade 11 – Math	25%
QC ³	Grade 6 – Language and Math	Not tied to grades
	Grades 10 and 11 – Language, Math, Science, History	50%
SK ⁴	Grade 12 – Language, Sciences (Biology, Chemistry, Physics), and Math	40%
NS	Grades 3, 6 and 8 – Language and Math	Not tied to grades
	Grade 10 – Language and Math	20%
MB	Grade 3 – Language and Math (Grade 4 for French Immersion Language)	Not tied to grades
	Grade 7 – Math	
	Grade 8 – Language	
	Grade 12 – Language and Math	30% (20% for Essential Math)
AB	Grades 6 and 9 – Language, Math, Science, and Social Studies	Not tied to grades
	Grade 12 – Language, Math, Science, and Social Studies	30%
BC	Grades 4 and 7 – Language and Math	Not tied to grades
	Grade 10 – Language and Math	Graduation Requirement
	Grade 12 – Language	Graduation Requirement (starting 2020/21)
ON ⁵	Grades 3 and 6 – Language and Math	Not tied to grades
	Grade 9 – Math	0% to 30% – teacher discretion
	Grade 10 – Literacy	Graduation Requirement

1. Beginning May 2020, Newfoundland and Labrador was expected to implement Provincial Math and Reading assessment at grades 3, 6 and 9.

2. New Brunswick has different assessment schedules for the Anglophone and Francophone school systems.

3. Each year, the Ministry chooses a certain number of subjects for which it prepares ministerial examinations.

4. Provincial exams are only for students instructed by non-accredited teachers, home-based educated students and for adults wishing to earn Level 30 credits.

5. Grade 9 math assessment can count for up to 30% of students' final course marks. Schools and/or school boards decide whether to count the provincial assessment and for how much. Teachers may score any components of the assessment prior to returning the test materials to the Education Quality and Accountability Office (EQAO).

expectations in varying ways and, as much as possible, to the interests, learning styles and preferences, needs and experiences of all students within a local context. In this way, they are intended to provide students with equitable opportunities to demonstrate their achievement of the curriculum expectations.

While teachers assess student achievement of the same curriculum expectations across the province, the curriculum expectations are written to be sufficiently broad that students can demonstrate their achievement of the curriculum expectations in many different ways. For this reason, culminations

of learning vary widely across the province, even as students are demonstrating their achievement of the same curriculum expectations. However, the Ministry's approach does not allow for the ability to compare learning achieved by students across the province or within school boards. Whether or not a student scores on EQAO assessments are included as a component of the student's final mark, there is benefit to extending province-wide testing in the senior grades, as it provides a snapshot of the strengths and weaknesses of the education system at a point in time.

In September 2017, the government announced an Independent Review of Assessment and Reporting. This review was undertaken by the education advisors to the Premier and the Minister of Education. The final report, *Ontario: A Learning Province*, was released on April 26, 2018 and contained 18 recommendations for improvement of the Ministry's assessment and reporting. Although the report did not recommend an expansion of large-scale assessments or exit exams, key recommendations supporting the broadening of subjects tested and for testing more student knowledge in the secondary years included:

- re-design EQAO assessments to modernize the Grade 6 assessment (i.e., to be more similar to students' learning experiences and environments in classrooms and to incorporate digital technologies), discontinue the Ontario Secondary School Literacy Test, and design and implement a new Grade 10 assessment of key knowledge, skills and competencies, including consideration of literacy, numeracy and competencies needed to equip students for success in post-secondary school or work, and to phase out assessments in Grade 3 and Grade 9; and
- consider the potential for one-off cyclical (three-to-five years) research or assessment of priority subjects and/or competencies for a broader understanding of the performance of Ontario's education system.

As discussed in Background **Section 2.1.4**, changes to modernize EQAO testing are underway by the Ministry; however, the recommendations noted above are not part of the plan.

RECOMMENDATION 13

To provide better assurance that Ontario students have acquired a consistent minimum level of knowledge in core subject areas, we recommend the Ministry of Education:

- assess practices in other jurisdictions that have standardized provincial testing in various subjects and grades at the secondary level which are worth some component of the final course grade, and adjust its standardized testing, as appropriate, based on the review; and
- conduct cyclical assessment of priority subjects.

MINISTRY RESPONSE

The Ministry will review best practices from other provincial testing programs and consider how this might inform adjustments in Ontario.

The Ministry recognizes that large-scale assessments like EQAO testing differ from classroom assessment in their purpose. It also recognizes that in the 2018 consultations on education, education partners and the public had mixed views regarding the need for more large-scale assessment. The Ministry will review its assessment program to determine the need for further adaptations, including cyclical assessment of priority subjects.

4.4.3 EQAO Provincial Assessment Results Are Declining, Particularly in Math

As seen in **Figure 3**, over the last five years provincial EQAO results for most assessments have either declined or stagnated. The exceptions are Grades 3 and 6 reading and Grade 6 writing, which have shown a slight improvement. Of particular

concern are achievement results in math at all grade levels tested (with the exception of Grade 9 academic math, which, although stagnant, has been consistently above the provincial goal of 75% achievement).

Students in Ontario have been performing below the Ministry's goal of having 75% of all students in the province achieve the provincial standard (level 3 or level 4, the equivalent of a B grade) in Grades 3, 6, and 9 applied math EQAO assessments since at least 2011/12. Furthermore, math results for Grade 3 and Grade 6 EQAO math assessments have shown a significant decline since at least 2011/12, while Grade 9 applied math results have remained relatively consistent since then but have still been well below the provincial standard.

At a school board level, results showed that, except for Grade 9 academic math and Grade 6 reading and writing, fewer than three-quarters of school boards met the provincial standard in 2019 EQAO assessments, as shown in **Figure 16**.

We also examined the trend in EQAO results for the period 2011/12 to 2018/19 and noted that few school boards were able to increase the percentage of students who achieved the provincial standard by at least 5%. Most concerning was the trend in EQAO results over the last eight annual assessments during which 65%, 56% and 26% of school boards saw at least a 5% decrease in the percentage of students achieving the provincial standard in Grade 3, Grade 6 and Grade 9 (applied) math assessments, respectively.

We analyzed EQAO math assessment results for Grades 3 and 6 math and Grade 9 applied math by excluding students with special education needs and English or French language learners who tend to score lower on EQAO assessments, and found that more students met the provincial standard on EQAO math assessments across all assessment grades (ranging from 6% to 9% better). However, as seen in **Figure 17**, the same general trends were still apparent. Since at least 2011/12, students had not met the provincial standard in Grade 6 and

Figure 16: Analysis of School Boards and School Results of Province-Wide Testing, 2011/12–2018/19

Source of data: Ministry of Education

2019 Assessments	Grade 3			Grade 6			Grade 9		OSSLT*
	Reading	Writing	Math	Reading	Writing	Math	Academic Math	Applied Math	
# of School Boards	72	72	72	72	72	72	70	70	70
# of Schools	3,509	3,508	3,555	3,375	3,375	3,375	760	768	812
% of School Boards meeting provincial standard of 75%	57	31	8	90	76	11	91	0	70
% of Schools meeting provincial standard	61	47	24	78	75	15	79	7	66
8-Year Trend 2011/12–2018/19 (%)									
School boards to increase the % of students achieving provincial standard by at least 5%	43	3	0	10	29	4	19	20	3
School boards to decrease the % of students achieving provincial standard by at least 5%	0	28	65	0	14	56	1	26	21

* OSSLT results represent the combined achievement of first-time and previously eligible writers.

Figure 17a: Percentage of Students that Achieved the Provincial Standard on the Grade 3 EQAO Math Assessment, 2011/12–2018/19

Source of data: Ministry of Education

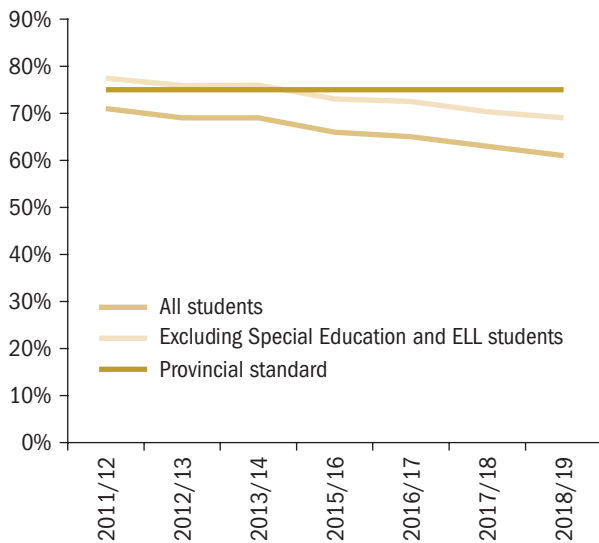


Figure 17b: Percentage of Students that Achieved the Provincial Standard on the Grade 6 EQAO Math Assessment, 2011/12–2018/19

Source of data: Ministry of Education

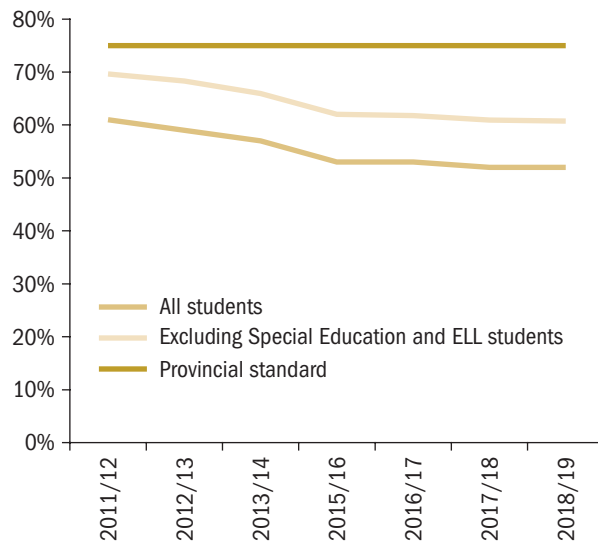
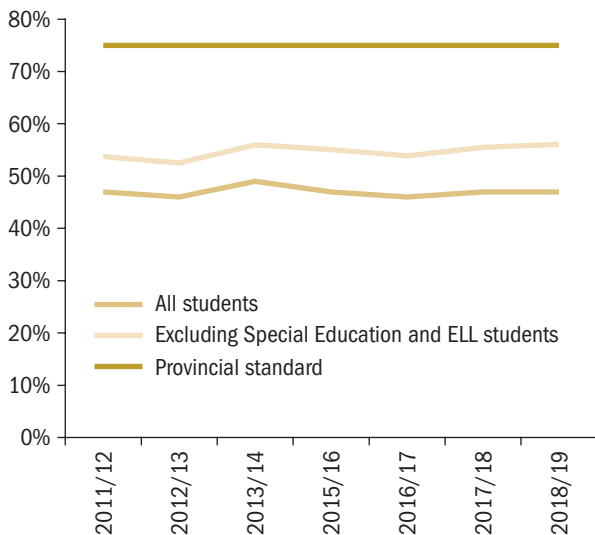


Figure 17c: Percentage of Students that Achieved the Provincial Standard on the Grade 9 Applied EQAO Math Assessment, 2011/12–2018/19

Source of data: Ministry of Education



Grade 9 applied math assessments. For Grade 3, students last achieved the provincial standard in 2013/14 (76%).

In an effort to determine if there are obvious inconsistencies in assessments across the province,

we compared students' report card marks to their EQAO scores in those subjects in which there are comparable report card marks. We found that EQAO results for reading and writing more closely reflected report card marks than EQAO results for math. As seen in **Figure 18**, report card marks in math were 48% to 71% higher than EQAO results.

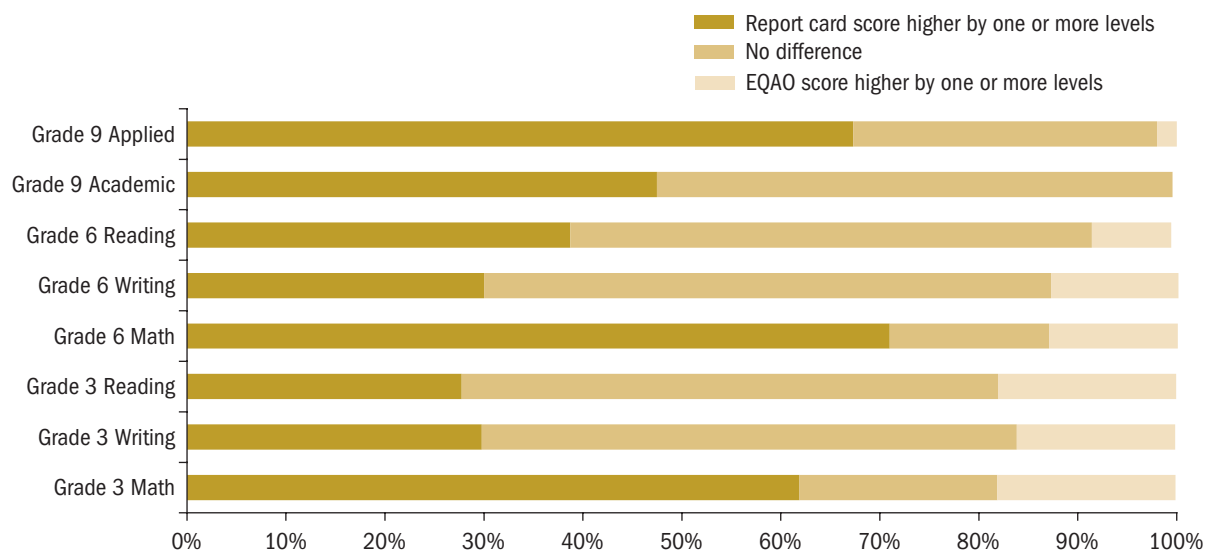
Steps Taken by Ministry and EQAO to Determine Reason for Low Math Scores

We asked the Ministry if it had attempted to investigate the reasons and causes of the decline in math assessment results and why so many students were not meeting the provincial standard in EQAO testing. The Ministry told us that there are several factors that influence student test performance, including individual, classroom and school-level factors for which data may not be available. Therefore, it is not possible to isolate causes or reasons for the decline on EQAO assessments or why students are performing below the standard.

The Ministry analyzed board-level EQAO mathematics results from 2015/16 to 2018/19 to determine whether the English-language schools

Figure 18: Comparison of Student Scores on EQAO Tests and Report Cards, 2018/19

Source of data: Ministry of Education

**Figure 19: Percentage of Students Meeting Expectations on Fundamental Math Skills¹**

Source of data: Education Quality and Accountability Office

Grade Level	Multiple-Choice ²	Open-Response	Knowledge and Understanding ³	Application ⁴	Critical Thinking ⁵
Primary (Grade 3)	71	54	81.5	68	58
Junior (Grade 6)	66	59	72.5	65	58

- Results for English- and French-language students are presented as one average percentage, as statistical differences were not observed.
- Multiple-choice questions are divided into three categories: Knowledge and Understanding, Application, and Critical Thinking.
- Knowledge and Understanding: Students must demonstrate only subject-specific content (knowledge) or comprehension of its meaning and significance (understanding), or both, in order to answer the question. These questions assess basic knowledge or understanding of concepts.
- Application: Students must select the appropriate tool or take the necessary information and “fit” it to the problem. A question may change from Knowledge and Understanding to Application if context is added.
- Critical Thinking: Students are required to select and sequence a variety of tools (e.g., add first, then subtract) or demonstrate a critical-thinking process (e.g., reasoning). There may be more than one way to answer these questions.

identified as receiving “intensive support” or “increased support” in the 2016 Math Strategy reflected any significant changes in student performance. The level of support (increased or intensive) is differentiated by the amount of funding provided. The Ministry found the strategy did not appear to make any significant difference in increasing student performance in Grade 3 or Grade 6 math. At the secondary level, only those schools which received what the Ministry classified as intensive support appeared to have a modest increase in student performance in Grade 9 applied mathematics.

The EQAO shared a March 2019 report with us that offered a preliminary investigation into student achievement on fundamental skills in mathematics among primary and junior students. The analysis drew from data gathered in 2016, 2017 and 2018. As seen in **Figure 19**, the results show that students are better able to demonstrate their skills in the multiple-choice format than on open-response items. Also, the investigation found that students in Grades 3 and 6 have stronger knowledge and understanding of fundamental math skills than the ability to apply their skills and to think critically about them. The challenge, as described by the

EQAO, is that mathematics may be less about students “knowing” math and more about their ability to apply math knowledge and to engage in critical thinking. The analysis can serve as a baseline toward continuous improvement as educators focus on the fundamentals of mathematics in schools.

In June 2020, the Ministry released a new Math Elementary curriculum to provide more focus on instruction and learning expectations of math fundamentals. However, any impact on student performance will not be seen until at least 2022, as the Ministry cancelled the 2020/21 EQAO assessment to allow for teachers and students to become accustomed to the new curriculum.

RECOMMENDATION 14

In utilizing testing information as a tool to improve curricula and student education, we recommend that the Ministry of Education:

- perform detailed analysis and identify reasons for stagnating or declining EQAO scores; and
- have school boards put in place supports to directly impact those groups of students who may be struggling.

MINISTRY RESPONSE

The Ministry will continue to engage with our partners, including the EQAO and school boards, to further shed light on these factors, including performing detailed analysis of results to try to isolate reasons for stagnating or declining scores.

Where there is declining performance, for example, in math, and in recognition of the need to support all students and remove barriers to student success, the Ministry intends to work with school boards to put in place supports to directly impact groups of students who have been marginalized and who have struggled in the past.

4.5 The Effects of COVID-19 on Curriculum Delivery and Student Assessment

In the 2019/20 school year, schools were closed beginning on March 13, 2020 until the end of the school year as a result of emergency measures put in place by the Province to control the outbreak of COVID-19. This shifted student learning from primarily in-class, teacher-led learning to online and more independent-based learning.

4.5.1 Ministry Did Not Provide Clear Expectations for Remote Instruction, Leading to Varying Levels of Instruction

On March 12, 2020, the Minister of Education issued a Ministerial Order to close all publicly funded schools until April 6, 2020, because of the COVID-19 pandemic. On March 31, 2020, school closures were further extended, eventually resulting in schools being closed for the remainder of the 2019/20 school year.

In recognition of the fact the schools were to remain closed for some time and the uncertainty as to when students would go back to school with traditional in-class instruction, on March 31, 2020, the Ministry provided direction to school boards on its expectations for continuity of learning. The implementation of the direction was to begin on April 6, 2020. The Minister told school boards that the “government expects that every student will continue to learn while in-school classes are suspended.”

The Ministry directed school boards to contact their students as soon as possible to assess how to best establish ongoing contact between students and their teacher(s). School boards were directed to re-establish teacher-led learning and communicated minimum guidelines of hours of work per student and the suggested areas of curriculum focus by grade grouping (see **Figure 20**). Compared to in-class learning before the shutdown, the minimum hours of work per student were much lower than during regular schooling as a student

Figure 20: Guidelines for Hours of Student Work During School Closures, (April 6–June 25, 2020)

Source of data: Education

Grade Range	Minimum School Work Per Student*	Recommended Areas of Curriculum Focus
K–Grade 3	5 hours/week	Literacy and math
Grades 4–6	5 hours/week	Literacy and math + science and social studies
Grades 7–8	10 hours/week	Core math, literacy, science and social studies
Grades 9–12	12 hours/week, i.e.: <ul style="list-style-type: none"> • 3 hours of work per course per week for semestered students; and • 1.5 hours of work per course per week for non-semestered students 	Achieving credits/completion /graduation

* Hours refer to the approximate amount of time students would spend on the work assigned by teachers.

is normally in school for about five hours a day (or 25 hours per week) of guided instruction.

On March 31, 2020, the Ministry further encouraged school boards to use the provincially licensed virtual learning environment (Bright Space) or other education platforms, and directed school boards to immediately begin identifying and supporting other forms of teacher-student connectivity, including telephone contact, contact by mail and the delivery of printed curriculum packages, based on the specific needs of students.

The Ministry stated that, although teacher engagement with students was expected, it would vary depending on circumstances and could include a range of ways that teachers would connect with their students. However, the Ministry did not provide direction on how to implement remote learning, such as work requirements for teachers, including whether live, real-time interaction was required and, if so, the expected frequency and duration. Rather, the Ministry left it up to the individual school boards. The Ministry also did not define or provide direction of what synchronous (virtual, real-time instruction) learning included at that time.

It was not until May 8, 2020, almost two months after schools were initially shut down, that the Ministry provided clarification on its expectations for remote learning when it stated that, “while the expectation of the Ministry is that educators would embrace the use of synchronous learning

during the school closure period, there has been an inconsistent uptake of this mode of learning. Recognizing there are a wide range of modes through which learning takes place between educators and their students, the Ministry’s expectation was that synchronous learning be used as part of whole class instruction, in smaller groups, and/or in a one-on-one context.”

However, once again, the Ministry did not set expectations for the frequency or duration of teacher-led real-time instruction and did not clearly define what constituted synchronous learning.

We asked the school boards we engaged with during our audit if they had provided additional guidance and set clearer expectations for teachers on remote-learning requirements over and above what the Ministry had directed. Two of the four school boards we engaged with provided additional guidance to their teachers. One board did not require Kindergarten to Grade 8 teachers to conduct real-time instruction for students, but Grades 9–12 teachers were required to provide one hour of real-time, whole-class instruction through teleconferencing, audioconferencing or videoconferencing per week. The other school board set the requirement that elementary and secondary semestered schools provide a minimum of 15 minutes of real-time learning two times a week, and for secondary non-semestered schools, 15 minutes once a week.

The results of a survey conducted by the Ministry show that, as of May 20, 2020, teacher-led

real-time instruction (synchronous learning) was still not being utilized consistently by teachers across the province. Specifically, of the 61 of 72 school boards that responded, only 51% reported that more than half of their teachers were offering synchronous learning opportunities. School boards also noted in the survey that the biggest obstacles faced in implementing a consistent synchronous learning experience for students were:

- equity, because of a lack of connectivity as some students could not participate in synchronous learning since they did not have access to the internet due to socioeconomic reasons and/or services unavailable in remote and small communities across the province;
- families juggling multiple needs for internet access and learning devices in the home;
- conflicting and/or unclear messaging to teachers from their union and the Ministry;
- student engagement difficulties depending on grade level, differences in individual learning needs and family situations; and
- teachers' comfort with teaching remotely, using and accessing technology as well as juggling family and work.

Sixty-five percent of boards that responded to the survey indicated that clearer direction was required by the Ministry for remote delivery of the curriculum. The two primary areas where school boards wanted clearer direction from the Ministry were on:

- assessment, evaluation and reporting – particularly regarding report cards (for example, how to complete comments, and how to report on half-credit courses that began at school closure); and
- expectations for teachers on how to implement remote learning – such as frequency of synchronous learning, and the number of hours a teacher needs to engage in teaching.

During the months of April and May 2020, one of the school boards we engaged with conducted three online surveys—one of principals and vice-

principals, one of educators and one of parents—to learn about their thoughts, experiences, concerns and suggestions with remote learning. Respondents included about 500 administrators, 4,000 educators and 39,000 parents.

We reviewed the summary of responses for all groups, which the school board compiled using a random sample of comments from all exchanges. Educators noted there was a wide spectrum of comfort levels in using remote learning technologies and moving content online. For many teachers remote learning was a steep learning curve, and there were not consistent workload expectations for teachers and students, with some staff feeling that they did not want to overwhelm families with too much schoolwork. Families also commented that students were experiencing inconsistency in live interaction expectations within and across schools. Specifically, families expressed having a range of experiences in terms of live interactions with teachers and classmates – from daily opportunities for live interaction with teachers and/or classmates to no opportunities at all. Families were very concerned about the lack of direct instruction teachers had been providing to date. Many families commented that teachers were only posting assignments for students, leaving parents to facilitate instruction. Families noted that when their children were engaged and enjoying remote learning, they tended to be receiving some form of direct instruction, often in live format.

Further, staff at the Toronto District School Board noted that it was difficult to meet the needs of a diverse classroom (such as students with special education needs and English language learners) in a remote environment. Families commented that current teaching practices in remote learning are not working for students who need additional supports and argued that both live interaction and direct instruction are really important for these students in particular.

Through our survey, we asked teachers whether they were provided with various tools during the COVID-19 school closures to assist with remote

Figure 21: Teacher Survey Responses on Usefulness and Provision of Teaching Tools During COVID-19 (%)

Source of data: Survey conducted by Office of the Auditor General of Ontario

Tool	Tool Provider	Useful/Very Useful	Neutral	Somewhat Useful/Not Useful	Not Provided	Total
Online teaching platforms	Ministry	20	13	36	31	100
	Board	47	14	31	8	100
Professional learning webinar	Ministry	11	14	40	35	100
	Board	30	17	38	15	100
Remote learning resources	Ministry	8	15	55	22	100
	Board	25	17	35	23	100
Lesson plan structure for online learning	Ministry	3	9	29	59	100
	Board	8	13	22	57	100
Computer equipment	Ministry	18	10	16	56	100
	Board	37	11	17	35	100
Information technology support	Ministry	13	14	25	48	100
	Board	32	18	31	19	100
Assessment and reporting guidelines	Ministry	9	15	46	30	100
	Board	19	19	40	22	100

teaching such as online teaching platforms, and lesson plans suitable for online learning. As seen in **Figure 21**, many teachers were not provided with the tools listed by the Ministry or their school board. For those teachers who indicated that the tool was provided, less than half or 47% found the tool to be useful or very useful.

As clear direction and expectations were not set for teachers on remote learning, specifically on the frequency and duration of teacher-led real-time instruction (that is, synchronous learning), and the amount of instruction students received during the school closure period varied across the province, it was expected that students would be academically behind to varying degrees when they began the 2020/21 school year.

As described in Background **Section 2.1.6**, on August 13, 2020, the Ministry released further requirements for remote learning for schools to set minimum expectations and provide a consistent approach and a predictable schedule for synchronous learning by grade for those students who continue schooling from home or during interruption to future in-class schooling.

4.5.2 Curriculum for 2019/20 School Year Not Fully Implemented, Leaving Gaps in Student Learning that Will Need to Be Addressed

For elementary and secondary students in a non-semestered school, traditional in-class learning did not occur for one-third of the school year. For students following a semestered program, in-class learning did not occur for half of the semester. At the time of our audit, the impact school closures had on student learning/outcomes, and the magnitude of the student learning gaps expected, was largely unknown. However, it is reasonable to conclude that there were a variety of gaps in student learning compared to a typical year, but the extent of the learning gaps will not be fully understood until reviewed after children have returned to school in the fall of 2020 or are assessed after they start post-secondary schooling. The Ministry has recognized this, noting in its August 13, 2020 school re-opening plan that students should be supported in transitioning to their next grade or course, given the prolonged absence from the classroom.

Due to the shift to a remote learning environment without in-class teacher-led instruction during school closures, all school boards we spoke with also anticipated gaps in student learning; that is, students being behind in the curriculum learning expectations they should have gained by the end of the 2019/20 school year. For example, one school board explained that not all of the curriculum expectations were fully implemented during the 2019/20 school year, as subjects other than language and math were not mandatory during remote learning for students in Kindergarten to Grade 6. Staff at another school board we spoke with said that they expect significant learning gaps in all subject areas, as curricular areas not identified by the Ministry as a focus area (language and math) had minimal implementation. This school board also told us that secondary students participated in varying amounts in all their subject areas, which is likely to create large and unquantifiable variance in the amount of learning experienced across all of their secondary students.

The Toronto District School Board conducted a series of surveys during the COVID-19 shutdown period. In response to surveys conducted in June 2020 of staff and students in Grades 7-12, student feedback indicated that engagement with remote learning was low as less than half of students, 42%, reported being interested in their studies and almost half of students, 47%, said they were not enjoying learning at home. Eighty-seven percent of teachers were concerned about students falling behind in their learning.

Another of the school boards we engaged with conducted a survey of its teachers to gather information about student participation in remote learning. The survey results showed that elementary teachers said that 56% of students were regularly participating in remote learning, while 17% of students were not participating at all. Secondary teachers surveyed indicated that 44% of students were regularly participating in synchronous learning, while 22% of students were not participating at all in remote learning. Further, the survey reported

just over half, 54%, of students were submitting work regularly.

In regard to strategies to be used to close the expected learning gaps in the 2020/21 school year, at the time of our fieldwork school boards we engaged with told us that teachers are to identify where students are behind in their learning and are to employ strategies to close those gaps, such as using differentiated instruction to address the needs of all students and targeting instruction to those curricula areas students are struggling with the most.

School boards recognized that assessment through remote learning would be difficult. In fact, in the survey conducted by the Toronto District School Board in April and May 2020, many educators commented that assessment was difficult and that work produced at home is not appropriate to use for reporting grades, specifically at the elementary level, as most students are not working independently.

4.5.3 Assessment and Evaluation of Student Learning during the COVID-19 Shutdown Were Inconsistent

The Ministry temporarily amended the assessment and evaluation policy during the COVID-19 shutdown. On April 3, 2020, teachers were instructed by the Ministry to determine a student's final grade based on information they had gathered before March 13, 2020. Teachers were further encouraged to take into consideration learning completed during the school closure period, only if it served to improve the student's final grade. That is, student grades and marks were not to go down from what they were at the start of the closure period. This applied to both elementary and secondary students. We were told that, because students knew that their grades could not go down from what they were on March 13, 2020, if a student was satisfied with their mark, many disengaged from their studies for the remainder of the school year. This was more of a concern for secondary students because students

are more independent and parents may not have had as much influence over their children's academic studies, as compared to elementary students.

Teachers also did not have to adhere to the assessment policy of a 70/30 mark breakdown (that is, 70% of the final mark based on classroom assignments and 30% based on a final exam or other final culminating task). Instead, teachers were allowed to adjust and individualize the weighting of assigned tasks to determine the final mark, as needed. In all cases, the final mark could only be better than what the student's mark was at the time the school shutdown was imposed in mid-March. In addition, principals could grant credits to ensure student progression based on work completed to date and efforts made in extenuating circumstances.

The school boards we spoke to did not track the number of students whose final mark was based on their mark at the time of the shutdown or the number of times principals granted credits, where they

otherwise were not earned, to have the student progress through their grade.

Further, some diploma requirements were waived for those graduating in 2019/20. Specifically, the requirements to pass the Ontario Secondary School Literacy Test and to complete 40 hours of community involvement were waived for all students graduating from publicly funded, private and First Nation schools. Full disclosure of marks where a Grade 11 or 12 student did not receive a credit for a course was not required: that attempt did not have to be entered into the Ontario Student Transcript and, therefore, would not appear on a student's record.

The Ministry directed elementary teachers to use the code "I" (insufficient evidence to determine a grade) on the student's final report card for subjects and discipline areas where they could not determine a final grade or mark for the student because they did not have enough information.

Figure 22: Percentage of Students in Grades 1 to 8 Receiving an "I"¹ on Term 2 Report Cards²

Source of data: Ministry of Education

Subject	Grades	Average (%)	Range (%)
Language			
Reading	1-8	4	3-6
Writing	1-8	4	3-5
Oral	1-8	15	12-19
Media Literacy	1-8	37	28-46
Math			
Number Sense and Numeration	1-8	12	9-16
Measurement	1-8	40	36-44
Geometry and Spatial Sense	1-8	39	33-43
Patterning and Algebra	1-8	56	43-61
Data Management and Probability	1-8	59	57-62
Science			
Science	1-8	19	10-29
Social Studies/History and Geography			
Social Studies	1-6	41	38-43
History	7-8	37	36-39
Geography	7-8	37	34-39

1. An "I" means that the student cannot be evaluated due to insufficient information.

2. Report card data is submitted in the June OnSIS submission, and represented 49% of students as of September 4, 2020.

3. Social Studies is taught in Grades 1 to 6.

4. History and Geography are taught in Grades 7 and 8.

The use of this code does not prevent a student from advancing to the next grade. We analyzed the percentage of students in each elementary grade that received an “I” for each report card area in the subjects of language, math, science and social studies, history and geography, in the second term of the year, during which time students were learning remotely. As seen in **Figure 22**, across all elementary grades, teachers did not obtain enough evidence of student learning to assign a grade for an average of at least 37% of students in four of the five math areas, in media literacy and in social studies, history and geography. This demonstrates that in many areas of the curriculum, the amount of student learning which took place during school closures is unknown and it will be necessary for teachers to bring students to the level of knowledge they should be at.

RECOMMENDATION 15

In order to have students achieve the level of learning they should be at in their current grade level, as indicated by assessment of all areas of the curriculum, we recommend the Ministry of Education develop strategies throughout the 2020/21 school year to provide to school boards to close the learning gap students experienced during remote learning required by COVID-19.

MINISTRY RESPONSE

The Ministry recognizes that students may need additional supports as a result of the school closures in 2019/20.

School boards are expected to provide the full range of curriculum during the 2020/21 school year, including planning for a refresher period for students as is always done in September but which may be more robust this year. Content review for students should be integrated through the school year at key instructional times to ensure students have fundamental building blocks before each new unit.

Summer Learning Opportunities were offered to mitigate potential impacts of the school closure period and summer learning loss. These opportunities included expanded summer school, new course upgrading, support for high school students in key areas of curriculum, and targeted programs for vulnerable students, students with special education needs, and Indigenous students.

The Ministry is continuing to meet regularly with education partners to further support educators and students during the school year, including access to digital learning resources that students and educators can access to support instruction.

Appendix 1: Ontario Curriculum Revision Release Dates

Source of data: Ministry of Education

Curriculum	Eng.	Fr.	Release Date ¹	Planning Underway for Future Release
Elementary				
The Arts/ Éducation artistique	✓	✓	2009	–
French as a Second Language/Anglais pour débutants/Anglais (French has two curricula rather than one)	✓	✓	2013/2013/2006	–
Health and Physical Education/ Éducation physique et santé	✓	✓	2019	–
The Kindergarten Program/Programme de la maternelle et du jardin d'enfants	✓	✓	2016 Addendum 2019	–
The 2019 Addendum to The Kindergarten Program/Supplément de 2019 au Programme de la maternelle et du jardin d'enfants				
Language/Français	✓	✓	2006	–
Mathematics/Mathématiques	✓	✓	2020	–
Native Languages/Langues autochtones	✓	✓	2001	–
Science and Technology/Sciences et technologie	✓	✓	2007	✓
Social Studies, History and Geography/Études sociales, histoire et géographie	✓	✓	2018	–
Actualisation linguistique en français (ALF) – no English equivalent		✓	2010	–
Programme d'appui aux nouveaux arrivants (PANA) – no English Equivalent		✓	2010	–
Secondary				
American Sign Language as a Second Language and Langue des signes québécoise (LSQ) langue seconde Grade 9/Level 1 course				✓
The Arts/Éducation artistique	✓	✓	Grades 9–12, 2010	–
Business Studies/Affaires et commerce	✓	✓	Grades 9–12, 2006	–
Canadian and World Studies/Études canadiennes et mondiales	✓	✓	Grades 9–10, 2018 Grades 11–12, 2015	✓ ²
Classical Studies and International Languages/Études classiques et langues internationales	✓	✓	Grades 9–12, 2016	–
Computer Studies/Études informatiques	✓	✓	Grades 10–12, 2008	✓
Cooperative Education/Éducation coopérative	✓	✓	Grades 11–12, 2018	–
English/Français	✓	✓	Grades 9–12, 2007	–
The Ontario Secondary School Literacy Course/Cours de compétences linguistiques des écoles secondaires de l'Ontario	✓	✓	EOSSLC/CCLES0, 2003	–
Programme d'appui aux nouveaux arrivants (PANA)		✓	Grades 9–12, 2010	–
First Nations, Métis, and Inuit Studies (formerly Native Studies)/Études des Premières Nations, des Métis et des Inuits (anciennement Études autochtones)	✓	✓	Grades 9–12, 2019	–
French as a Second Language/Anglais pour débutants/Anglais (French has two curricula rather than one)	✓	✓	Grades 9–12 2014/2013/2007	–

Curriculum	Eng.	Fr.	Release Date ¹	Planning Underway for Future Release
Guidance and Career Education/Orientation et formation au cheminement de carrière	✓	✓	Grades 9–10, 2006 Grades 11–12, 2006 Career Studies, 2019	— — —
Revised Course: Advance Release of the Curriculum Expectations/ Parution anticipée des attentes et des contenus d'apprentissage				
Health and Physical Education/Éducation physique et santé	✓	✓	Grades 9–12, 2015	—
Interdisciplinary Studies/Études interdisciplinaires	✓	✓	Grades 11–12, 2002	—
Mathematics/Mathématiques	✓	✓	Grades 9–10, 2005 Grades 11–12, 2007	✓ ³
Mathematics Transfer Course, Applied to Academic/ Mathématiques transition du cours appliqué au cours théorique	✓	✓	Grade 9 Transfer Course, 2006	—
Native Languages/Langues autochtones	✓	✓	Grades 9–10, 1999 Grades 11–12, 2000	— —
Science/Sciences	✓	✓	Grades 9–12, 2008	✓
Social Sciences and Humanities/Sciences humaines et sociales	✓	✓	Grades 9–12, 2013	—
Technological Education/Éducation technologique	✓	✓	Grades 9–12, 2009	✓
Actualisation linguistique en français (ALF)		✓	Grades 9–12, 2010	—

1. Release date is the same for English language and French language curriculum unless otherwise stated.

2. Updated planned for the Civics and Citizenship course.

3. Update planned for Grade 9 and Grade 10 Mathematics.

Appendix 2: National and International Assessments in which Ontario Participates

Prepared by the Office of the Auditor General of Ontario

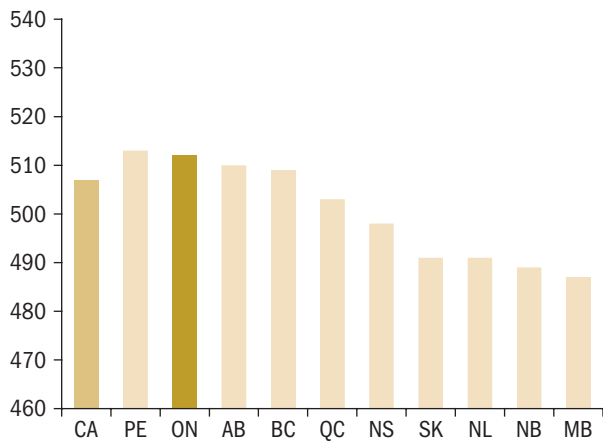
	Pan-Canadian Assessment Program (PCAP)	Programme for International Student Assessment (PISA)	Trends in International Mathematics and Science Study (TIMSS)	Progress in International Reading Literacy Study (PIRLS)
Latest Assessment	2016	2018	2015	2016
Subjects Tested	Science, Reading, Math	Science, Reading, Math	Science, Math	Reading
Grades Tested	Grade 8	15-year-old students	Grades 4, 8	Grade 4
Frequency	Every 3 years	Every 3 years	Every 4 years	Every 5 years
Countries Participating	Canada	79 countries	57 countries	50 countries
Canadian Jurisdictions Participating (most recent assessment)	All provinces	All provinces	Grade 4 – AB, MB, ON, QC, NL Grade 8 – MB, ON, QC, NL	BC, AB, SK, MB, ON, QC, NB, NL
# of Students Participating in Canada (most recent assessment)	27,000	22,500	21,000	18,000
Assessment Format	<ul style="list-style-type: none"> 90-minute examination - multiple choice and written response questions contextual questionnaire - students, teachers, school principals 	<ul style="list-style-type: none"> 2-hour examination of reading, math and science 35-minute contextual questionnaire administered to students 45-minute school questionnaire administered to school principals 1-hour test assigned to students who participate with special education needs who could not successfully complete the full versions. 	<ul style="list-style-type: none"> Grade 4: 72-minute assessment completed in 2 parts Grade 8: 90-minute assessment completed in 2 parts contextual questionnaire administered to students and Early Learning Survey for parents/guardians of Grade 4 students only school questionnaire administered to teachers 	<ul style="list-style-type: none"> 80-minute examination of reading literacy- multiple choice and written response questions contextual questionnaire administered to students and parents 35-minute teacher questionnaire 30-minute school questionnaire-completed by principals curriculum questionnaire-completed by ministers and departments of education
Overseeing Body	Council of Ministers of Education, Canada	Organisation for Economic Co-operation and Development (OECD)*	International Study Center, Boston College, Lynch School of Education	International Study Center, Boston College, Lynch School of Education

* OECD is an inter-governmental economic organization of 37 member countries, founded in 1961 to stimulate economic progress and world trade.

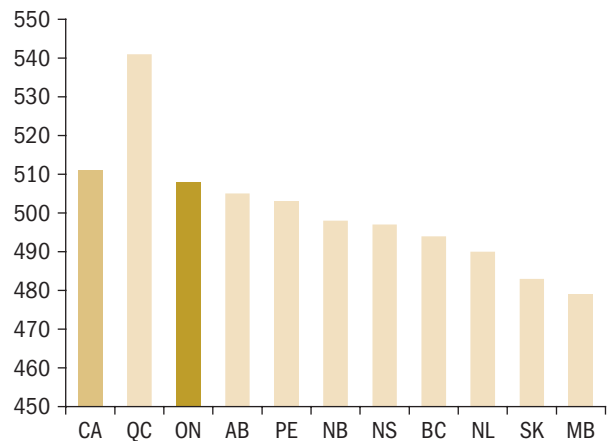
Appendix 3: Results of National and International Student Achievement Assessments in Which Ontario Participated between 2015 and 2018

Prepared by the Office of the Auditor General of Ontario using published results from Programme for International Student Assessment (PISA)—Organisation for Economic Co-operation and Development (OECD), 2018; Pan-Canadian Assessment Program (PCAP)—Council of Ministers of Education, Canada, 2016; Trends in International Mathematics and Science Study (TIMSS)—International Study Center at Boston College's Lynch School of Education, 2015; Progress in International Reading Literacy Study (PIRLS)—International Study Center at Boston College's Lynch School of Education, 2015.

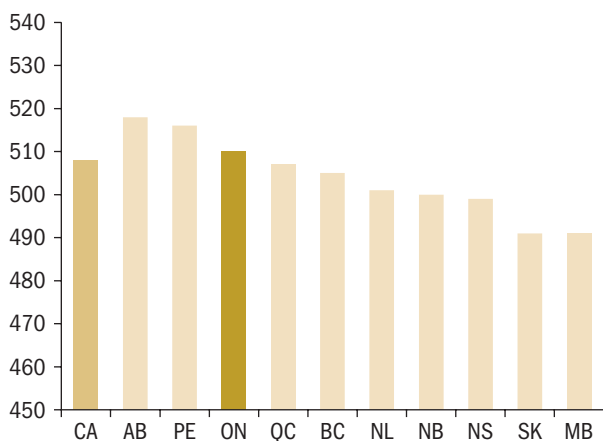
2016 PCAP—Reading



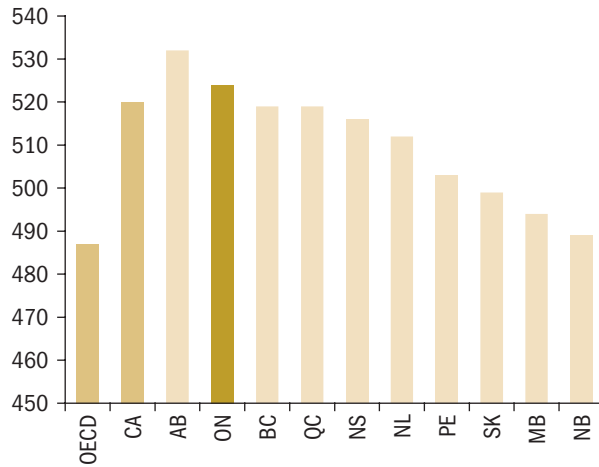
2016 PCAP—Math



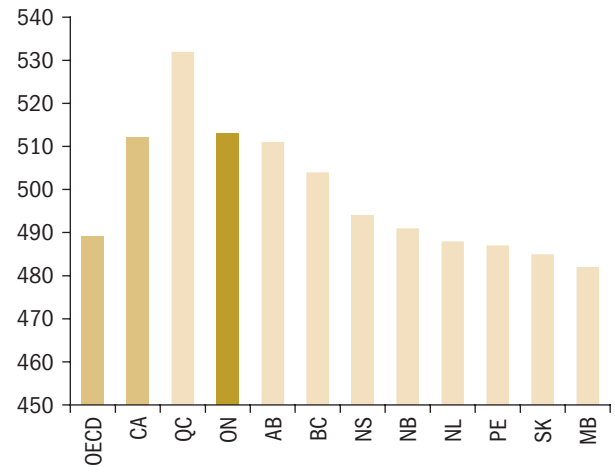
2016 PCAP—Science



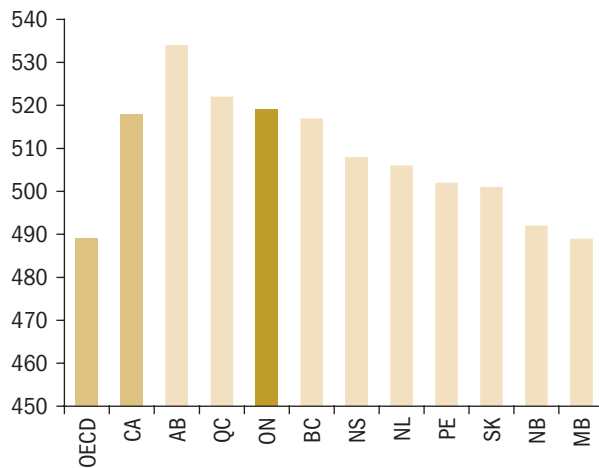
2018 PISA—Reading



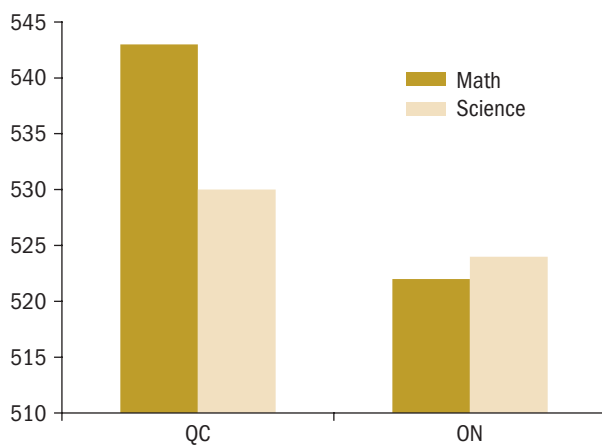
2018 PISA—Math



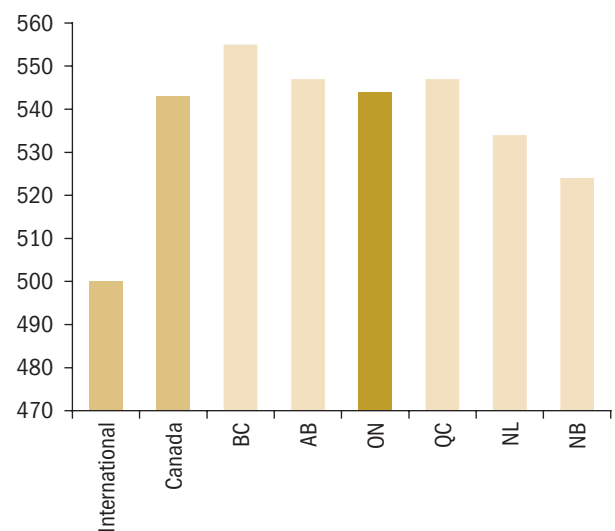
2018 PISA—Science



2015 TIMSS—Grade 8

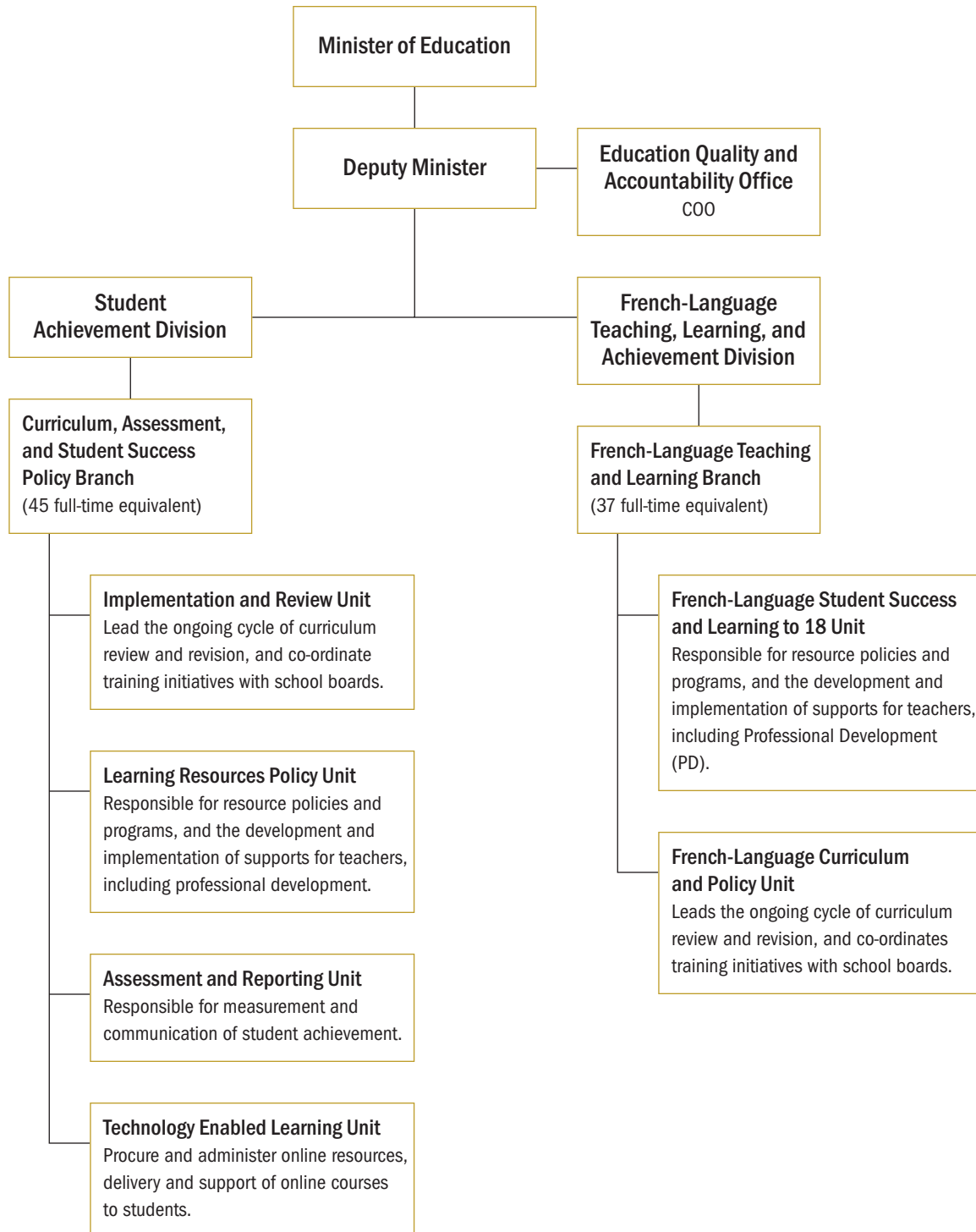


2016 PIRLS—Literacy



Appendix 4: Organizational Structure of Ministry of Education Divisions Responsible for Curriculum Development and Implementation

Source of data: Ministry of Education



Appendix 5: Audit Criteria

Prepared by the Office of the Auditor General of Ontario

1. The Ministry has ongoing processes in place to assess the continued effectiveness of the curriculum for each subject in meeting the Province's objectives for the education system.
2. The Ministry has an effective process in place to revise curricula that takes into consideration input from impacted stakeholders and experts, research into best practices, future economic trends, and results of student assessments to ensure the curricula are accurate, current, relevant, and developmentally appropriate.
3. The Ministry and school boards provide teachers with the information, training, resources and other supports necessary to implement the curricula on a consistent and ongoing basis.
4. The Ministry and school boards have processes in place to ensure teachers are teaching the expectations outlined in the curricula.
5. Students are being consistently evaluated at all school boards across the province against curricula expectations, including through testing by the Education Quality and Accountability Office (EQAO).



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Auditor General of Ontario – School Board IT Systems and Technology in the Classroom Follow Up Audit Update

To: Audit Committee

Date: 22 March, 2021

Report No.: 03-21-4050

Strategic Directions

- Allocate Human and Financial Resources Strategically to Support Student Needs

Recommendation

It is recommended that the Auditor General of Ontario – School Board IT Systems and Technology in the Classroom Follow Up Audit Update be received.

Context

In 2018 the Auditor General of Ontario (OAGO) conducted an audit on School Board IT Systems and Technology in the Classroom. As part of the original audit the Ministry of Education (EDU) and four school boards, TDSB, Waterloo Catholic School Board, Algoma District School Board and Peel District School Board were selected to audit. A follow up audit was conducted in 2020 with the report being issued in December 2020. The Board has recently been informed that the Auditor General will be conducting School Board IT Systems and Technology in the Classroom follow up audits on an annual basis going forward; this update relates to the follow up audit report published in December 2020. Management is in the process of providing the 2021 update due March 31st, 2021.

The original report contained 14 recommendations consisting of 26 action items. Of the 14 recommendations, nine were addressed to the school boards resulting in 17 action items. The Auditor General conducted their follow up from May to July 2020, releasing their report in December 2020. The follow up concluded that TDSB had fully completed seven of the 17 action items with six additional action items to be completed by the end of the current school year. One action item will not be completed as it is cost prohibitive (the Board is willing to partner with EDU on a provincial solution), however compensating controls have been introduced and three action items relating to disaster recovery and business continuity have made little to no progress. It should be noted that backup procedures are in place; cold sites have been identified and a fulsome assessment of how to move to a full BCP and DRP is in the process of being

developed. However, given the current budgetary constraints and lack of dedicated funding, implementation is taking longer than anticipated.

School Board Recommendations and Current Status (as of February 2020):

Recommendation 2: In order to achieve more equitable access to classroom IT resources, Boards are recommended to perform (a) an assessment of student needs and (b) implement policy outlining device allocation, type of technology, refresh cycle etc. Due March 2021.

Current Status: **In Process** – Assessment to evaluate student needs re: classroom technology has been completed. It was determined that a 1 to 1 student to device strategy be implemented along with teacher PD as well as digital resources. The proposal is a work in progress to establish a sustainable funding model.

Recommendation 3: Investigate the benefits of donations of used equipment. Due March 2021.

Current Status: **Fully Implemented** – The board has a bring your own device (BYOD) program in place where students and staff can use their personal devices to engage in learning and collaboration in their classrooms by connecting to the Boards Wi-Fi network (login credentials required).

Recommendation 4: Periodic review of users with access to the Ontario Education Number applications so EDU can be notified of those no longer requiring access.

Current Status: **Fully Implemented** – Users lists are reviewed semi-annually with notification sent to EDU to revoke access for users who no longer require access.

Recommendation 5: Safeguard students' personal information by (a) delivering on-going privacy training to staff with access to personal data and (b) perform risk assessments and necessary actions with use of non-approved websites or software.

Current Status: (a) **In Process (2020)** – All staff are required to complete and obtain a passing grade in the Boards online Municipal Freedom of Information and Protection of Privacy Act training. **2021 update:** Privacy Training is ongoing and made available to all staff through the Learning Management Platform which contains 39 privacy related courses. (b) **Fully Implemented** – The board has been performing cyber-risk assessment on IT systems and initiatives including privacy assessments and has filtered or blocked websites that are deemed high risk.

Recommendation 6: To mitigate the risk of cyberattacks, (a) develop Board and school level roles and responsibilities for cybersecurity and (b) provide formal information security training to teachers and staff.

Current Status: (a) **Fully Implemented** – Roles and responsibilities for cybersecurity, code of online conduct, password management, network security and acceptable use of IT resources are in place. (b) **In Process:** cybersecurity awareness campaigns and phishing exercises provided to teachers and staff, the board was

planning to launch a Cyber-Monday program where cybersecurity and online risks would be taught to students on the first Monday of every month during the school year, starting January 2021. **2021 update:** The 'Cyber Monday' initiative is on hold due to the continued strain on internal resources, however other awareness initiatives are on-going including cybersecurity training made available to all staff through the Learning Management Platform which contains six cybersecurity related courses. An External Threat Intelligence Software as a Service (SaaS) solution is currently being used to provide early warnings and imminent threats to TDSB and reduce the security risk posture of TDSB.

Recommendation 8: Improve existing cyberbullying programs by (a) monitoring school provided equipment to mitigate cyberbullying incidents and (b) formally track, report and review cyberbullying incidents at schools.

Current Status: (a) **Not Implemented** – Management engaged vendors to understand the implementation and on-going costs of monitoring communication on school provided equipment and determined it is cost prohibitive unless dedicated funding can be identified. TDSB remains willing to collaborate with EDU on a provincial solution. **2021 update:** Although monitoring actual communications is cost prohibitive, TDSB has implemented firewalls and internet content filters to block various high-risk unapproved content including:

- Social Networking User communities and sites where users interact with each other, post messages, pictures, or otherwise communicate with groups of people.
- Internet Communications and Telephony Sites that support or provide services for video chatting, instant messaging, or telephony capabilities.
- Peer-to-Peer Sites that provide access to or clients for peer-to-peer sharing of torrents, download programs, media files, or other software applications. This is primarily for those sites that provide bit torrent download capabilities.

These controls are in place for all devices accessing TDSB networks, this includes BYOD when logged into the TDSB Wi-Fi network.

Item (b) **Fully Implemented** – e-solution application implemented to track and report cyberbullying incidents.

Recommendation 9: Maintain security of and reduce loss due to lost / stolen IT assets by (a) implementing an IT Asset management system with clear roles and responsibilities as well as life-cycle management; and (b) implement format IT asset tracking and reporting procedures.

Current Status: (a): **Fully implemented** – ITSM ServiceNow tool in place which tracks IT equipment information, associated to the serial number of the devices that are shipped in the ITSM module, along with service warranty information. (b): **In Process** – Reporting templates are being finalized based on the information compiled in the tool. **2021 Update:** The ITSM application is used in association with SCCM and MDM apps to determine last login times to better track assets.

Recommendation 10: Develop and test Disaster Recovery Plan.

Current Status: **Little to no progress** – The board was in the process of developing a business continuity and disaster recovery plan at the board and school levels including the necessary assignment of roles and responsibilities, as well as training and testing exercises. However, the board had encountered financial challenges with budget cuts in the 2019/20 school year as well as the added budgetary pressures in 2020/21. **2021 Update:** The Board has engaged a 3rd party consultant company to assist with a guided implementation to create a DRP followed by a BCP. Work has begun and will be on-going.

Recommendation 11: (a) Develop and implement business continuity plans and (b) establish backup schedules, retention policies as well as disposal and security policies and practices.

Current Status: **Little to no progress** – Plans to perform business impact analyses as well as assessing risks and determining prevention and mitigation measures in place. **2021 Update:** BCP will be developed after completion of the DRP as noted in #10 above. Record retention policies, and disposal and security policies and practices in place include: Records and Information Management Policy (PO97) and Records and Information Management Procedure (PR677). For System Backup, IT Services performs regular backups of server configuration, application data, databases, staff/department storage and the administrative email mailboxes on a daily basis. Incremental backups are performed daily and retained for 4 weeks; full backups are performed at the end of the week and retained for a 1-year period. Copies of full backups are kept offsite for 3 weeks.

Recommendation 12: Ensure teachers and staff (a) receive necessary training to use technology purchased and (b) perform a cost-benefit analysis of equipment and software prior to making purchases.

Current Status: (a) **In Process:** Online and in-person technology-related training provided to teachers and staff through the training website during the 2019/20 school year. The training website is available to all teachers and staff and provides training courses for the use of technology in classrooms and at the board. The training website also tracks formal learning sessions for monitoring training completion status with the course contents regularly reviewed for appropriateness. **2021 Update:** To assist in building capacity, PD sessions were held for Digital Lead Learners and Digital Lead Administrators (DLL and DLA) on Digital Citizenship and Global Competencies in February and March of 2021.

Targeted teacher training will be held in co-ordination with the 1 to 1 Computing Strategy noted in #2 above. (b): **Fully Implemented** – cost / benefit analysis included in for equipment and software purchases.

Action Plan and Associated Timeline

Of the remaining nine action plans, all of which are being addressed, six action plans are anticipated to be completed prior to the beginning of the 2021 school year. For the

remaining three actions, work has commenced to address the findings within the Boards budgetary constraints.

Resource Implications

No additional resource implications are anticipated to address the six action plans brought forth by the OAGO, however until dedicated funding or provincial solutions are provided, completion of three action items will remain outstanding.

Communications Considerations

Included in public Audit Committee minutes.

Board Policy and Procedure Reference(s)

N/A – O.Reg 361/10 and Auditor General Act of Ontario are applicable.

Appendices

- Appendix A: OAGO School Board IT Systems and Technology in the Classroom Follow Up Audit

From

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Office of the Auditor General of Ontario

Annual Follow-Up on Value-for-Money Audits



December 2020

Chapter 1

Section

1.12

Ministry of Education

School Boards—IT Systems and Technology in the Classroom

Follow-Up on VFM Section 3.12, 2018 Annual Report

RECOMMENDATION STATUS OVERVIEW						
	# of Actions Recommended	Status of Actions Recommended				
		Fully Implemented	In the Process of Being Implemented	Little or No Progress	Will Not Be Implemented	No Longer Applicable
Recommendation 1	1		1			
Recommendation 2	2		2			
Recommendation 3	1	0.5			0.5	
Recommendation 4	2	2				
Recommendation 5	2	0.75	0.75	0.5		
Recommendation 6	2	0.5	1	0.5		
Recommendation 7	1			1		
Recommendation 8	2	1.25	0.5		0.25	
Recommendation 9	2	1	1			
Recommendation 10	3		2	1		
Recommendation 11	2	0.67	0.67	0.66		
Recommendation 12	2	0.6	1.4			
Recommendation 13	1		1			
Recommendation 14	3	3				
Total	26	10.27	11.32	3.66	0.75	0
%	100	39	44	14	3	0

Overall Conclusion

As of June 30, 2020, the Ministry of Education (Ministry) and school boards had provided us with

information on the status of recommendations made in our 2018 Annual Report. The Ministry and school boards have fully implemented 39% of our Office's recommendations and have made progress in implementing an additional 44% of our recommendations.

The Ministry and the school boards have fully implemented recommendations such as:

- tracking and reviewing the lists of users with access to the Ontario Education Number application so that the access of unauthorized users is revoked; and
- improving student information reporting processes and providing clear information regarding errors and how to resolve them.

However, the Ministry and the school boards have made little progress on 14% of the recommendations, including providing IT security training to teachers; tracking and measuring cyberbullying incidents in Ontario schools; developing a policy that outlines roles and responsibilities in cybersecurity at both the board and school levels; developing and testing effective disaster recovery plans; and developing and implementing effective business continuity plans in order to achieve the boards' strategic objectives. The Toronto Board indicated that it would not be implementing our recommendation to monitor school-provided equipment to mitigate cyberbullying incidents due to the cost associated with the monitoring software from the vendor.

In response to the COVID-19 pandemic, the Ministry provided online course content, digital tools and learning resources for teachers and students to aid in continuous learning. In order to support this initiative, the Ministry launched an online website (ontario.ca/page/learn-at-home) to help students continue learning remotely. In addition, the Ministry also outlined minimum expectations with respect to students' work time and the courses assigned for all grades. Work in this area was still under way at the time of our follow-up.

The status of actions taken on each of our recommendations is described in this report.

Background

The Ministry of Education (Ministry) funded 72 district school boards in 2019/20 (72 in 2017/18) that provide elementary and secondary education to about two million Ontario students. School boards and individual schools determine how much funding is allocated to school operations and classroom technology.

School boards reported total information technology (IT) spending of \$235.9 million for the 2018/19 fiscal year (\$227.8 million in 2017/18), with \$165.7 million (\$160.6 million in 2017/18) for IT systems and computers (including software and licences), and the remaining \$70.2 million (\$67.2 million in 2017/18) for the boards' own IT operations and administration.

Schools use IT in the classroom for online learning, sharing lessons and math skills training, as well as computer programming, coding and design and other subject areas. IT also gives students quick access to the Internet for research. Teachers use IT to help design and deliver lessons, and for administrative tasks such as tracking attendance and grades.

Overall, we found that the Ministry had no broad IT strategy for curriculum delivery, use of IT by students or administration of IT. In addition, student access to IT varied across the province because each board made its own decisions about equipment acquisition.

The following were some of our findings:

- The availability of tablets, laptops, computers and applications varied among schools, and school boards generally did not formally assess whether classrooms had adequate, up-to-date and consistently allocated IT resources. At some schools, for example, eight students shared a single computer. At others, each student was assigned their own computer.
- Classroom IT equipment ranged from new and modern, to outdated hardware, which

could be slow and incompatible with the latest software. Older technology could also adversely affect the learning experience, and was more vulnerable to cybersecurity threats because vendors were no longer providing regular security updates.

- The Ministry's IT system was used to administer the Ontario Education Number issued to every student in the province, and to collect and store students' personal information and educational records. We found that almost one-fifth of staff user accounts for this system across all school boards in Ontario (971 of 5,229, or 19%) had never been used, meaning that many authorized users do not need their authorization, and that accounts were not always deleted after staff had left their jobs. As these user accounts were accessible by staff and some former staff on the Internet, there was a risk to the security of confidential student information.
- Some school boards provided no formal security-awareness training, and some lacked cybersecurity policies. Fifty-one of the 69 boards that responded to our survey (74% of respondents) indicated that they had not provided formal IT security or privacy training to staff who used technology at boards and schools.
- Although school boards had established policies and guidelines on bullying prevention and intervention according to Ministry requirements, they had not measured the effectiveness and performance of anti-cyberbullying programs. Of the school boards that responded to our survey, 25 (36%) indicated that they did not log cyberbullying incidents and therefore lacked the information to study and address such incidents.
- Two of the four school boards we visited as part of our audit lacked sufficient oversight of their classroom IT assets, such as laptops and tablets. In some cases, board staff were unable to verify whether any equipment was missing.

- We found that most school boards did not have formal business continuity and disaster recovery plans to deal with serious damage to their IT systems from natural or man-made disasters, if such events occurred.
- The Ministry had spent more than \$18.6 million on virtual learning environment (VLE) software in the five years before our audit, which it provided for free to school boards. However, most boards had purchased their own software to make up for gaps in the VLE software, and for ease of use. Approximately 26% of the school boards that responded to our survey indicated they rarely used the VLE software. As a result, value for money was not obtained with the VLE, and was not always obtained from boards' IT purchases.
- The Ministry system that school boards used to report student data to the Ministry was inefficient and lacked performance targets for the preparation and submission of student data. Training and support on the system was insufficient to help resolve errors with data validation issues in a timely manner.

We made 14 recommendations, consisting of 26 action items, to address our audit findings.

We received commitments from the Ministry and school boards that they would take action to address our recommendations.

Status of Actions Taken on Recommendations

We conducted our follow-up work between May 2020 and July 2020 for the Ministry of Education and the four school boards—Toronto District School Board (Toronto Board), Waterloo Catholic School Board (Waterloo Catholic Board), Algoma District School Board (Algoma Board) and Peel District School Board (Peel Board). We obtained written representation from the Ministry of Education and the directors of education of the Toronto Board,

the Waterloo Catholic Board, the Algoma Board and the Peel Board that effective October 22, 2020, they have provided us with a complete update of the status of the recommendations we made in the original audit two years ago.

Ontario Does Not Have an IT Strategic Plan for Its Schools

Recommendation 1

In order to better understand how information technology (IT) resources may be used for curriculum delivery and to guide their allocation of resources, we recommend that the Ministry of Education together with the school boards develop a strategic plan specifying minimum expectations for the use of IT in the classroom.

Status: The Ministry: In the process of being implemented by March 2022.

Details

In our 2018 audit, we found that the Ministry of Education (Ministry) had not developed a strategic plan for IT use in classrooms across the province or provided direction to the school boards in using IT resources for curriculum delivery. The Ministry and the school boards were also lacking current data to guide their spending decisions for IT in the classroom. The school boards we visited informed us that they had not systematically assessed to what extent their students were using IT in the classroom.

In our follow-up, we noted that in November 2019, the Ministry had put in place a requirement for Ontario students to complete two online courses as part of their total course requirements to graduate from secondary school. This requirement increased students' access to the virtual learning environment (VLE) and technology-enabled teaching. The Ministry was planning to engage with the public to ensure that the approach to online learning would meet the needs of students and educators, and to discuss issues related to IT in the classroom, by winter 2020. In addition, the Ministry was working in partnership with school boards on

the Broadband Modernization Program (BMP). The BMP, in progress at the time of our follow-up and expected to be completed by March 2022, is a multi-year initiative led by the Ministry to support access to reliable, fast, secure and affordable Internet services to all students and educators in schools across Ontario, including those in rural and northern communities. As of September 30, 2020, 54% of school boards had completed the BMP implementation.

Recommendation 2

In order to achieve more equitable access to classroom information technology (IT) resources for Ontario students across schools and school boards, we recommend that the school boards:

- *perform an assessment to evaluate students' needs with regard to classroom technology;*

Status: Toronto Board: In the process of being implemented by March 2021.

Peel Board: In the process of being implemented by December 2021.

Details

We found in our 2018 audit that the amount of IT equipment in classrooms varied both among school boards and among schools in the same boards. The Toronto Board, for example, did not have a policy on the ratio of students to computers. At some schools, eight students shared one computer, whereas in other schools, each student was assigned an individual computer. There were different student-to-computer ratios among the nearly 260 schools in the Peel Board as well.

In our follow-up, we found the following:

In response to the COVID-19 pandemic, the Minister of Education announced additional funding of \$15 million to assist school boards in purchasing computers and other IT devices for classroom learning. In addition, the government also advised school boards to provide their existing inventory of computers and IT devices to students who do not have access to technology at home.

Toronto Board: The board was working with a vendor to assess the technological needs for their schools and was meeting regularly to review classroom technology requirements. The board planned to complete the assessment by March 2021. The assessment was expected to address computer-to-student ratios, types of technologies to use in the classroom, the optimal age of technology systems and devices, as well as the refresh cycle of classroom technology.

Peel Board: The board was in the process of developing a framework to assess students' needs for classroom technology, as needs varied among schools within the board. As part of the framework, the board was expecting to review requirements for classroom technology devices and vendor support. The board was planning to continue working with schools to perform the assessment by December 2021.

- *develop and implement a classroom IT policy outlining a computer-to-student allocation ratio, the types of technologies to use in the classroom, the optimal age of the technology systems and devices, and the refresh cycle of classroom technology.*

Status: Toronto Board: In the process of being implemented by March 2021.

Peel Board: In the process of being implemented by December 2021.

Details

We found in our 2018 audit that the average age and the age range of classroom equipment varied widely across schools. At the Toronto Board, the age of the IT equipment among schools ranged from less than one year to 15 years old. The Peel Board was not able to identify the overall age range of the classroom equipment in its schools. We also found in our survey that 13 school boards (19% of respondents), including both the Toronto and Peel boards, did not have classroom technology replacement plans for their schools, whereas 36 school boards (52%),

including the Waterloo Catholic and Algoma boards, replaced their classroom tablets and laptops and/or desktops every three to five years.

In our follow-up, we found the following:

Toronto Board: The board was in the process of developing a classroom IT policy for schools that would address computer-to-student ratios, types of technologies to use in the classroom, the optimal age of technology systems and devices, as well as the refresh cycle of classroom technology. It expected to complete its development of the classroom IT policy by March 2021.

Peel Board: The board had a minimum standard for technology in a classroom. This standard included a supported device (either a desktop computer or a laptop) along with a display device (either an LCD Projector or a TV). Using this standard, the board would perform analyses of classroom device inventories and add more devices to balance the student-to-computer ratio throughout the board. The board planned to have the classroom IT policy in operation by December 2021.

Recommendation 3

In order to reduce the differences in student-to-computer ratios among schools and potentially bring down the cost of acquiring information technology (IT) equipment, we recommend that the school boards assess the benefits of private-sector donations to schools of lightly used IT equipment.

Status: Toronto Board: Fully implemented.

Waterloo Catholic Board: Will not be implemented.

Algoma Board: Will not be implemented.

Peel Board: Fully implemented.

Details

In our 2018 audit, we found that there was no system to encourage and enable private-sector donations to schools of lightly used IT equipment as a way for boards to save costs and to make student access to IT resources more equitable across the province.

In our follow-up, we found the following:

Toronto Board: The board assessed the possibility of allowing donations of laptops from the private sector that would be used in a Bring Your Own Device (BYOD) program by staff and students, and connected to the board's Wi-Fi (wireless Internet) network. The board would accept donations of IT equipment that met its technology requirements for continuous support. In addition, the board had the BYOD program in place at the school level, which helped their students use their personal devices to engage in learning and collaboration in their classrooms. In April 2020, the board also provided devices to approximately 29,000 households that it evaluated as being in need to ensure their students could continue to learn during the COVID-19 school closures.

Waterloo Catholic Board: The board assessed the potential benefits of private-sector donations and concluded that it was not an economically viable option due to its requirements for technology with continuous support. The board indicated that its existing ratio of devices to students was sufficient and reasonable for its classroom technology needs.

Algoma Board: The board would consider new equipment donations that fit its technology requirements. However, IT equipment donated by the private sector may vary in age, make and model, which could introduce a requirement for complex support structures due to different operating systems and security compatibility concerns.

Peel Board: The board has undertaken an assessment of donated IT equipment, including a cost/benefit analysis related to the board's technology requirements for continuous support. The board accepted mobile devices and LCD monitors to replace projectors and TV equipment from private-sector donors through a program that provides refurbished mobile devices (tablets) to students and families who cannot afford them.

Personal Information of Students at Risk of Disclosure

Recommendation 4

In order to ensure that only authorized users have access to the Ontario Education Number application, we recommend that:

- *Ontario's school boards periodically review their lists of users with access to the Ontario Education Number application and notify the Ministry of Education (Ministry) of any changes, so that it can revoke the access of unauthorized users;*

Status: The Ministry: Fully implemented.

Toronto Board: Fully implemented.

Waterloo Catholic Board: Fully implemented.

Algoma Board: Fully implemented.

Peel Board: Fully implemented.

Details

We found in our 2018 audit that Ontario Education Number (OEN) accounts existed for users who did not need access. For example, we found 14 user accounts still assigned to former Toronto Board staff who were no longer employed by the board, two similar cases at the Peel Board and two at the Algoma Board. Of the total of 5,229 user accounts with access to the OEN application, we found that 971 accounts (19%) had never been used. This indicated that many authorized users had no need to access the system. We also found that accounts of inactive users of the Ministry's IT system were not always being cancelled after they left their positions at the boards. These accounts were accessible on the Internet, which meant that there was a risk that confidential student information might be exposed to the public.

In our follow-up, we found the following:

The Ministry: The Ministry implemented a semi-annual account review process for all users who had access to the OEN application. The percentage of the user accounts that had not been used decreased

from 19% to 6.76% through the implementation of the new access review process put in place in November 2019.

Toronto Board: The board was reviewing the list of active users who have access to the OEN application and was notifying the Ministry semi-annually to revoke the access of users who did not require access.

Waterloo Catholic Board: The board was receiving a list of active OEN application users from the Ministry and was reviewing it on a quarterly basis. The board was notifying the Ministry if any changes were required.

Algoma Board: The board was reviewing its system users' active or inactive status with its human resources department annually at end of June. If there was a change in employment status, an IT helpdesk ticket was created to remove the access from the OEN application.

Peel Board: The board was reviewing the list of users who had access to the OEN application quarterly to ensure that only authorized users had access. If a user did not log in for an extended period of time, the Ministry would send an email to the board's IT Security Team to confirm if access should be removed.

- *the Ministry track and review unusual activity in the Ontario Education Number application.*

Status: The Ministry: Fully implemented.

Details

We found in our 2018 audit that the Ministry did not have access to the current employment status of school board staff, and therefore was not able to revoke access to the OEN application in a timely manner when staff left their positions at the boards. Instead, the Ministry relied on the school boards to inform it when their staff no longer required access to the application. It was evident by the large number of inactive accounts we found that some school boards had not been notifying the Ministry of personnel changes consistently and in a timely way.

In our follow-up, we found the following:

The Ministry: The Ministry implemented tracking and reviewing of unusual activity in August 2019, such as OEN user accounts that had not been used for over six months. We noted that the Ministry validated a list of users whose accounts were suspended, revoked or had no activity on the system, to ensure that there was no unauthorized activity. The Ministry also created a standard process for consistent tracking and review of OEN application users.

Recommendation 5

To safeguard students' personal information, we recommend that the school boards in collaboration with their schools:

- *deliver ongoing privacy training to staff who have access to personal data;*

Status: Toronto Board: In the process of being implemented by December 2020.

Waterloo Catholic Board: Fully implemented.

Algoma Board: Little or no progress.

Peel Board: Little or no progress.

Details

We found in our 2018 audit that all four school boards we visited indicated that they did not generally provide formal IT security or privacy training to teachers who had access to technology and third-party websites. Without guidance from the Ministry or training by the boards on the appropriate use of approved online teaching resources, such as e-textbooks, many teachers made individual decisions to use online tools, applications and third-party websites that were not approved by the boards. Registration on these unapproved sites could record personal data. Their use, without proper training, increases the risk of privacy breaches.

In our follow-up, we found the following:

Toronto Board: All staff were required to complete and obtain a passing grade in online training on the

Municipal Freedom of Information and Protection of Privacy Act to demonstrate their understanding of personal data privacy risk. The board was also conducting periodic privacy and cybersecurity awareness campaigns and internal phishing exercises to reinforce privacy awareness both at the school and board levels. The board was planning to complete a formal assessment of ongoing privacy needs by December 2020.

Waterloo Catholic Board: The board provided privacy training to staff through a training website in November 2019. The privacy training required staff to watch a video and complete a test. Training status reports were generated from the website and managers of individuals who had not completed the training were following up with their staff to ensure prompt completion.

Algoma Board: The board was planning for the introduction of privacy training videos on their internal website so that staff could access and complete the required training. The board had engaged a third-party vendor to help deliver this training plan but this had been deferred until March 2021 due to COVID-19.

Peel Board: The board had communicated the importance of student information privacy to all staff and teachers, and had emphasized that staff have a duty and responsibility to ensure that personal data held by the board is kept confidential. Staff and teachers were required to meet expectations outlined in the Digital Citizenship policy and the Safe Schools policy. The board was also working with a vendor to develop a privacy training program for staff, and had planned to implement it by December 2021.

- *perform risk assessments and take necessary actions associated with using non-approved websites or software.*

Status: Toronto Board: Fully implemented.

Waterloo Catholic Board: In the process of being implemented.

Algoma Board: In the process of being implemented by February 2021.

Peel Board: Fully implemented.

Details

Toronto Board: The board performed a cyber-risk assessment on its IT systems in 2019. Based on the results of the risk assessment, the board filtered or blocked websites that were deemed high risk.

Waterloo Catholic Board: The board was in the process of enhancing procedures for reviewing educational web applications in order to use them safely in schools. The board had also planned to have a Privacy Officer perform a privacy impact assessment to verify that applications were safe to use.

Algoma Board: The board had deployed a policy to block unapproved websites at the board and schools. In addition, the Educational Computing Network of Ontario and the Ontario Association of School Business Officials were collaborating on a province-wide web application security initiative to address approved and unapproved software applications and websites. The board planned to implement the result of this project by February 2021.

Peel Board: The board had implemented a process to conduct privacy risk assessments when using third-party software applications or web-based IT systems in schools. This process also ensured that the vendors were complying with the board's privacy standards.

School Boards on Alert for Cybersecurity Risks

Recommendation 6

In order to mitigate the risks of cyberattacks, we recommend that school boards:

- *develop a policy that outlines roles and responsibilities in cybersecurity at both the board and school levels;*

Status: Toronto Board: Fully implemented.

Waterloo Catholic Board: Little or no progress.

Algoma Board: Little or no progress.

Peel Board: In the process of being implemented by December 2020.

Details

In our 2018 audit, we found inconsistencies among school boards regarding their cybersecurity policies. Of the 69 school boards that responded to our survey, 41 boards (59%) indicated that they did not have a formal cybersecurity policy to safeguard sensitive data and assets at the boards and their schools. We also noted that 19 school boards had not updated their cybersecurity and/or information security policies in more than one year.

In our follow-up, we found the following:

Toronto Board: The board had developed policies and procedures to outline roles and responsibilities for cybersecurity, code of online conduct, password management, network security and acceptable use of information technology resources.

Waterloo Catholic Board: The board planned to implement a new administrative procedure and/or policy to include cybersecurity functions by November 2020.

Algoma Board: The board was planning to develop a formal cybersecurity policy with the assistance of a vendor and expected to be issuing the policy in December 2020.

Peel Board: The board was in the process of developing an acceptable-use procedure for information technology resources and exploring cybersecurity training options for staff during onboarding, and on an ongoing basis. This would help define and reinforce roles and responsibilities in cybersecurity. The board was planning to implement the policy by December 2020.

- *provide formal information security including cybersecurity awareness training to teachers and staff who have access to information technology.*

Status: Toronto Board: In the process of being implemented by January 2021.

Waterloo Catholic Board: Fully implemented.

Algoma Board: In the process of being implemented by March 2021.

Peel Board: In the process of being implemented by December 2020.

Details

We found in our 2018 audit that 74% of the boards that replied to our survey indicated that they did not provide formal information security awareness training to teachers and staff with access to technology. As the methods and techniques used by attackers to manipulate school board staff into divulging sensitive information had become increasingly sophisticated, the importance of providing updated cybersecurity awareness training continued to grow. In our follow-up, we found the following:

Toronto Board: In addition to the cybersecurity awareness campaigns and phishing exercises provided to teachers and staff, the board was planning to launch a Cyber-Monday program where cybersecurity and online risks would be taught to students on the first Monday of every month during the school year, starting January 2021.

Waterloo Catholic Board: The board had provided cybersecurity training to staff through a training website. The cybersecurity training required staff to watch a video and complete a short test. The board generated the training status reports from the training website, and followed up with the individuals who had not completed their training for prompt completion.

Algoma Board: The board sent reminder emails about malicious or phishing emails for staff awareness on a periodic basis. For formal information security training for teachers and staff, the board had contracted a vendor to deliver the training by March 2021.

Peel Board: The board was working with a vendor to provide phishing campaigns and information security training to teachers and staff by December 2020.

Recommendation 7

To improve the effectiveness of existing cyberbullying programs in Ontario schools, we recommend that the Ministry of Education track and measure the incidence of cyberbullying in Ontario schools.

Status: Ministry of Education: Little or no progress.

Details

In our 2018 audit, we found that school boards and the Ministry did not track metrics to measure the effectiveness and performance of anti-cyberbullying programs. Without appropriate logging and tracking, school boards were not able to address the root causes of such incidents and reduce the occurrence of cyberbullying at schools.

In our follow-up, we found the following:

The Ministry: The Ministry had initiated a project to enhance its existing strategies and processes for cyberbullying. On November 27, 2019, the Minister of Education announced five new measures to prevent and address bullying, including cyberbullying, in Ontario schools. Three of the five measures were aimed at gathering information and perspectives from students, their parents or guardians and educators on bullying prevention, intervention and reporting. The Ministry had also launched its online bullying survey for students, parents and staff on February 26, 2020. The Ministry planned to use the results to inform changes to its policies on bullying and cyberbullying.

Recommendation 8

To improve the effectiveness of existing cyberbullying programs in Ontario schools, we recommend that school boards:

- *monitor school-provided equipment to mitigate cyberbullying incidents;*

Status: Toronto Board: Will not be implemented. The Office of the Auditor General of Ontario continues to believe that the Toronto Board should, at the very least, monitor school-provided equipment to mitigate cyberbullying incidents.

Waterloo Catholic Board: Fully implemented.

Algoma Board: In the process of being implemented by March 2021.

Peel Board: Fully implemented.

Details

We found in our 2018 audit that school boards and the Ministry did not evaluate whether their prevention strategies were effective. School boards conducted cyberbullying awareness campaigns specifically during an annual prevention week, and many publish materials and surveys for staff, students and parents. Nevertheless, school-provided equipment, such as laptops, tablets and Internet connections, was reported as misused for cyberbullying at 32 boards that responded to our survey.

In our follow-up, we found the following:

Toronto Board: With respect to monitoring school-provided equipment, the board engaged in discussions with the vendors that provided monitoring services for the various communication tools used at schools. After reviewing the initial and ongoing costs for the monitoring service from the vendor quotes, the board stated it would not be implementing this recommendation unless dedicated funding was identified or the initiative was led by the Ministry. The board advised it would work collaboratively with the Ministry on a provincial solution.

Waterloo Catholic Board: The board had implemented an application called Imagine Everything – Student Aware. This application monitored for cyberbullying on all board-provided student accounts. Alerts were sent automatically to IT administrators when alarming subject matter was found, entered or searched, for monitoring and investigation when necessary.

Algoma Board: The board was in the process of investigating a software solution to deal with online safety and cybersecurity. The board had implemented the Safe Schools and Workplace Violence incident tool, where any related incidents or suspicions were reported by students or employees, then reviewed and remediated by the board. The board had also heightened teacher and administrator risk awareness within its schools through email communications. In addition, the board had deployed web filtering on its networks, directing users away from unapproved websites.

Peel Board: The board had implemented an Internet content filter to block unapproved social networking and cyberbullying content when accessed through school-provided equipment by students.

- *formally track, report and review cyberbullying incidents at schools.*

Status: Toronto Board: Fully implemented.

Waterloo Catholic Board: In the process of being implemented by October 2020.

Algoma Board: Fully implemented.

Peel Board: Fully implemented.

Details

Toronto Board: The board had developed an e-solution application to track cyberbullying incidents that could result in suspension or expulsion. The e-solution, allowing the board to track, report and review cyberbullying incidents, was deployed in early 2020.

Waterloo Catholic Board: In addition to its tool that monitors cyberbullying activities when students are connected to the school network, the board provided a link on its webpage allowing individuals to report instances of bullying. The board was working with the vendor of its application Imagine Everything – Student Aware to include additional information on reported cyberbullying incidents to help administrators with their investigations, and was planning to implement this by October 2020.

Algoma Board: Cyberbullying incidents at the board were being reported in the Safe Schools/ Workplace Violence incident tool. The principal of the school resolved these issues in most cases. The board's senior management was involved in resolution processes when necessary.

Peel Board: The board had the Safe Schools incident reporting tool for cyberbullying incidents reported by board staff and teachers according to the board's Bullying Prevention policy. Principals in schools were responsible to investigate and resolve cyberbullying incidents, and their progress was tracked in the incident tool.

Not All School Boards Tracking Inventory of IT Assets

Recommendation 9

In order to maintain the security of information technology (IT) assets, and to reduce financial losses due to lost or stolen IT assets at school boards and schools, we recommend that the school boards:

- *develop and implement an IT asset management system defining clear roles and responsibilities of the school boards and schools for efficient IT asset life-cycle management;*

Status: Toronto Board: Fully implemented.

Peel Board: In the process of being implemented by December 2022.

Details

Our 2018 audit found inconsistencies between school boards in Ontario generally in tracking processes for IT assets. At the four school boards we visited, the Algoma and Waterloo Catholic boards had inventory tracking processes and up-to-date computer inventory listings. However, both the Peel and Toronto boards did not track their IT assets and maintain a current and complete inventory listing.

In our follow-up, we found the following:

Toronto Board: The board had implemented an IT asset management tool (ServiceNow) in April 2019

to efficiently manage IT assets at the board and schools by tracking IT equipment from purchase to disposal, along with service warranty information.

Peel Board: The board was in the process of implementing a dedicated IT asset management function to improve inventory management of the many different devices found at the board and schools. This would allow the board to efficiently manage IT assets from purchase to disposal. The board planned to implement this function by December 2022.

- *design and implement formal IT asset tracking and reporting procedures.*

Status: Toronto Board: In the process of being implemented by December 2020.

Peel Board: Fully implemented.

Details

Toronto Board: The board was in the process of finalizing reporting templates from IT asset information compiled in the IT asset management tool by December 2020.

Peel Board: The board had implemented a process for tracking and reporting various types of IT assets used at the board and in schools. Microsoft devices were tracked through Microsoft tools, and iPads and cell phones were managed through a mobile device management system. In addition, Chromebooks were tracked through the Google device management system, and projectors were managed through an online projector database.

School Boards Have Not Formally Identified Key IT Risks

Recommendation 10

To manage risks to key information technology (IT) processes and infrastructure at the school boards and in the schools, we recommend that the boards develop and test effective disaster recovery plans that:

- *define processes for identifying, assessing and managing risks and uncertainties resulting*

from internal and external events that could impede the boards' ability to achieve their strategic objectives;

- *train staff in their roles and responsibilities in disaster recovery; and*
- *put in place effective mitigation measures.*

Status: Toronto Board: Little or no progress.

Algoma Board: In the process of being implemented by April 2021.

Peel Board: In the process of being implemented by December 2023.

Details

In our 2018 audit, we found that many school boards did not have processes in place to identify events or circumstances that could negatively affect their operations and potentially damage their IT systems. For example, among the four boards we visited:

- The Toronto Board did not have a physical location to serve as a disaster recovery site for its IT systems.
- The Toronto and Algoma boards did not have a formal IT disaster recovery plan in place.
- The Waterloo Catholic Board had a disaster recovery plan that it had not yet fully tested.
- The Peel Board did not have a disaster recovery or business continuity plan in place.

We also found that the school boards were not clear on what mitigation measures they should use in which scenarios. Mitigation measures were put in place to foresee the kinds of damage that could potentially occur if disaster struck and to plan for limitation of the damage and recovery. In IT, this could involve plans and exercises for recovering data if servers were physically destroyed, for example.

At the time of our follow-up, we found:

Toronto Board: The board was in the process of developing a business continuity and disaster recovery plan at the board and school levels including the necessary assignment of roles and responsibilities, as well as training and testing exercises. However, the board had encountered financial challenges with budget cuts in the 2019/20 school year

and prioritized COVID-19 emergency measures. As a result, the plan to implement a formal business continuity and disaster recovery plan was delayed. The board expected to start working on specific tasks such as assessing risks, determining prevention and mitigation measures, and performing business impact analyses in the second half of 2020.

Algoma Board: The board had contracted a vendor to develop disaster recovery plans but work has been on hold due to COVID-19. The board's disaster recovery plans, including testing the plan and training staff, were expected to be implemented by April 2021.

Peel Board: The board had started a disaster recovery project and had opened a secondary data centre equipped with IT devices such as Uninterrupted Power Supply (UPS) and computer hardware in 2018. The board was in the process of developing a disaster recovery plan, and had planned to build disaster recovery test cases for testing and training staff by December 2022. In addition, the board was in the process of assessing risks and implementing effective mitigation measures for implementation by December 2023.

Recommendation 11

To manage risks to key information technology (IT) processes and infrastructure at the school boards and in the schools, and to help ensure that in case of disaster, essential information technology (IT) assets continue to function so that the boards are able to achieve their strategic objectives, we recommend that the school boards:

- *develop and put in place effective business continuity plans;*

Status: Toronto Board: Little or no progress.

Algoma Board: In the process of being implemented by April 2021.

Peel Board: In the process of being implemented by December 2023.

Details

We found in our 2018 audit that 64 school boards of the 69 that responded to our survey (93%) indicated that they did not have an approved business continuity plan in place. In addition, 44 school boards (64%) indicated they did not have approved service-level agreements for delivery of support and service to their schools in the event of a disaster. Without recognition of threats and key IT risks, and without having proactive measures in place in the event of a disaster, school boards were unable to ensure that personnel and assets would be protected and able to function. In addition, 38 of the school boards (55%) indicated that they did not have an approved backup policy that defines roles and responsibilities, backup schedules, retention policies, and disposal and security policies and practices.

In our follow-up, we found the following:

Toronto Board: The board planned to perform business impact analyses in the second half of 2020.

Algoma Board: The board was in the process of developing business continuity plans, but this work was put on hold due to COVID-19. The board was planning to implement business continuity plans by April 2021.

Peel Board: With the COVID-19 situation, the board had increased its resources to support remote working with software licensing and required hardware. The board was in the process of analyzing assets critical to the continuous functioning of the board to help define an effective business continuity plan. The board expected to implement this by December 2023.

- *establish backup policies, including backup schedules, retention policies, and disposal and security policies and practices.*

Status: Toronto Board: Little or no progress.

Algoma Board: Fully implemented.

Peel Board: Fully implemented.

Details

Toronto Board: The board expected to start working on specific tasks such as assessing risks, determining prevention and mitigation measures, and performing business impact analyses in the second half of 2020.

Algoma Board: The board had established a backup schedule based on the criticality of their databases and applications.

Peel Board: The board had documented backup procedures including backup schedules for board IT systems, and data and records retention policy. In addition, the board had a disposal policy for various types of media such as mobile devices, computers, servers and storage devices, and a certified vendor who provided a certificate of recycling for secure disposal.

Ministry and School Boards Not Always Obtaining Value for Money on IT Purchases

Recommendation 12

In order to ensure a good return on investment in all classroom equipment and student learning software, we recommend:

- *school boards ensure that teachers and staff receive necessary training in the use of the technology already purchased and on all future purchases of technology on a timely basis;*

Status: Toronto Board: In the process of being implemented by end of the 2020/21 school year.

Waterloo Catholic Board: In the process of being implemented by end of the 2020/21 school year.

Algoma Board: In the process of being implemented by end of the 2020/21 school year.

Peel Board: In the process of being implemented by end of the 2020/21 school year.

Details

In our 2018 audit, we found that the four school boards were not always obtaining value for money with purchases of hardware and software because the technology was not necessarily being used as intended, or to its full potential. The Ministry had spent more than \$18.6 million on virtual learning environment (VLE) software over the past five years, which it provided to the school boards for free. VLE provided a variety of online tools that helped with, for example, communication, assessment, student tracking and course management. However, staff at the school boards we visited and at the boards we surveyed noted that they received limited training from the Ministry on VLE.

In our follow-up, we found the following:

Toronto Board: The board provided online and in-person technology-related training to teachers and staff through the training website during the 2019/20 school year. The training website was available to all teachers and staff and provided training courses for the use of technology in classrooms and at the board. In addition, the training website tracked formal learning sessions for monitoring training completion status, and the course contents were regularly reviewed for appropriateness. In response to the COVID-19 pandemic, the board continues to provide ongoing remote learning training to teachers and staff.

Waterloo Catholic Board: The board provided ongoing training to teachers and staff on current technology, as well as on new technology being introduced, through an online training website and in-person sessions during the 2019/20 school year. In response to the COVID-19 pandemic, the board continues to provide ongoing remote learning training to teachers and staff.

Algoma Board: The board provided training in the use of technology to teachers and staff on an ongoing basis so that its technology would be used effectively. All new applications and classroom devices included formal training as well as video

training. Such training sessions were included as part of the professional development program for teachers and monitored in the learning management system for the 2019/20 school year. In response to the COVID-19 pandemic, the board continues to provide ongoing remote learning training to teachers and staff.

Peel Board: The board was providing ongoing training and support to teachers and staff in the use of technology during the 2019/20 school year. This training took various forms, such as online and in person (both one-on-one and group, where possible), as well as after-hours sessions and instructional resources such as FAQs, instructions and links to instructional videos. In response to the COVID-19 pandemic, the board continues to provide ongoing remote learning training to teachers and staff.

- *the Ministry of Education and school boards perform a cost-benefit analysis of the need for and use of equipment and software that can take the form of a business case before purchase.*

Status: The Ministry: In the process of being implemented by fall 2021.

Toronto Board: Fully implemented.

Waterloo Catholic Board: In the process of being implemented.

Algoma Board: Fully implemented.

Peel Board: Fully implemented.

Details

We found in our 2018 audit that due to the challenges with virtual learning environment (VLE) software, school boards were purchasing other learning tools in their classrooms. For example, the Algoma Board spent an additional \$57,500 over two years to purchase Edsby to use as its classroom management software instead of VLE, which the Ministry had provided for free. Edsby provided additional features for analyses of student attendance and report cards. We also found that the Toronto Board purchased 2,710 smartboards between 2013 and

2018 at a cost of about \$9.7 million. We noted that it purchased these smartboards without a formal business case or plan for their use.

In our follow-up, we found the following:

The Ministry: The Ministry completed a review of its educational software procurement approach and approved a transition plan in January 2020. As part of the transition plan, the Ministry would work with the Ontario Education Collaborative Marketplace, a not-for-profit education-sector partner that leads outreach and sourcing work for new educational software Vendor of Record (VOR) arrangements based on evidence and cost-benefit analyses. This would allow school boards to choose digital learning resources that meet their local needs. The Ministry had planned to implement this initiative by fall 2021.

Toronto Board: The board had performed assessments of the benefits of high-cost and complex technology such as smartboards (as well as business cases for them), and purchased such equipment and software only once the assessments or business cases were completed and approved. For instance, the board provided a business case for the procurement of a cybersecurity and threat protection software tool in February 2020 that included detailed information on benefits and costs.

Waterloo Catholic Board: The board had implemented an IT governance framework to ensure that IT resources were aligned with the board's academic and administrative objectives. The board surveyed staff, students and the school community about technology and software requirements. The feedback and purchase requirements for IT hardware and software were presented to the IT governance council for review and approval in the 2019/20 school year.

Algoma Board: We noted that the board performed a needs assessment for senior management approval prior to the purchase of equipment and software. The board also compared its product research with other school boards and vendors, and

compared pricing with other similar Ontario Public Service VOR arrangements in March 2020.

Peel Board: In March 2020, the board implemented a process to submit business cases for new projects, including IT initiatives, that were critical to the board's operations and goals. All business cases with cost-benefit analyses required approval by the Superintendent/Controller of the area and the Director or Associate Director before purchase.

Ministry and School Boards May Not Be Obtaining Full Value for Money for Student Information Systems

Recommendation 13

To eliminate duplication, save on costs and realize potential efficiencies in collecting and submitting student data, we recommend that the Ministry of Education, in collaboration with the school boards, investigate implementing a shared centrally managed student information system and determine whether such a system will achieve these aims.

Status: The Ministry: In the process of being implemented by June 2021.

Details

In our 2018 audit, we found that there was no single common centralized student information system at the provincial level. Such a centralized system could potentially bring cost savings to the boards through economies of scale if all school boards used one system managed by the Ministry. However, we noted that the Ministry and boards had not formally assessed whether there were potential overlaps, cost-saving opportunities and inefficiencies in the submission of student information.

In our follow-up, we found the following:

The Ministry: The Ministry was continuing to work with the school boards, through Ontario Association of School Business Officials – Information & Communication Technology and Education Computing Network of Ontario on the common Student

Information System Reference Architecture. The reference architecture would provide guidance on the implementation of standardized processes and applications, as well as define the student information data required. The Ministry, in collaboration with the school boards, was continuing to look for ways to streamline the new and existing data collection process, and to support school boards with research and analyses to assist them to make evidence-based decisions. The Ministry planned to complete the project by June 2021.

Recommendation 14

To improve the data reporting process for student information, we recommend that the Ministry of Education, in collaboration with the school boards:

- *improve the student information workflow with a focus on streamlining processes and providing clear information regarding errors and how to resolve them;*

Status: The Ministry: Fully implemented.

Details

We found in our 2018 audit that the effort required to submit data for one reporting period to the Ministry's Ontario School Information System (OnSIS) could be onerous for school boards. We noted that the lack of data validation and lack of clarity in business controls to ensure accuracy of data contributed to inefficiencies in the reporting process. School board staff who were involved in submitting data to the Ministry indicated to us that error messages from the Ministry's OnSIS system were not clear and often did not provide enough information to identify and resolve problems.

At the time of our follow-up, we found:

The Ministry: To streamline data submissions and reduce errors, the Ministry had improved data reporting requirements and communications to school boards regarding upcoming changes to the OnSIS through regular meetings with school boards. The Ministry was also working with the boards to

identify and fix specific error messages encountered by the boards during the submission process.

- *establish key performance indicators and monitor the time required for boards to sign off on OnSIS submissions and the quality of signed-off data;*

Status: The Ministry: Fully implemented.

Details

The Ministry: The Ministry had implemented a new quality assurance process for student information collected in OnSIS. To ensure accurate and timely data from boards at each submission, the Ministry performed quality assurance exercises and was sending boards checklists to review any anomalies for correction if required.

- *improve the training provided on OnSIS submission and reporting.*

Status: The Ministry: Fully implemented.

Details

We found in our 2018 audit that 55 of the 69 school boards that responded to our survey (80%) mentioned that the training provided by the Ministry on OnSIS data submission and reporting was not sufficient. Our follow-up found:

The Ministry: The Ministry had issued a new user guide in December 2019 and updated its OnSIS training materials. The Ministry had also provided documents that explained changes made to the OnSIS application to school boards.

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Auditor General of Ontario & Ontario Ombudsman – Student Transportation Follow Up Audit Update – March 2021

To: Audit Committee

Date: 22 March, 2021

Report No.: 03-21-4051

Strategic Directions

- Allocate Human and Financial Resources Strategically to Support Student Needs

Recommendation

It is recommended that the Auditor General of Ontario & Ontario Ombudsman – Student Transportation Follow Up Audit Update – March 2021 be received.

Context

Background:

Auditor General of Ontario:

In December 2015, the Auditor General of Ontario issued their audit on Student Transportation. As part of their audit, three transportation consortia were selected: Sudbury Student Services Consortium (serving five school boards), Student Transportation of Peel Region (serving two school boards) and the Toronto Student Transportation Group (TSTG), of which TDSB is a member along with Toronto Catholic District School Board (TCDSB). Of the 15 recommendations, two related to the transportation consortia:

- Recommendation #1 – Oversight of school bus operators re: compliance and vehicle condition, incident and driver turnover tracking
- Recommendation #12 – Use data and technology as well as staggering bell times and coordinating common days off to increase efficiency and reduce costs

The remaining recommendations were directed at the Ministry of Transportation and Ministry of Education.

Ontario Ombudsman Office:

In August 2017, the Ontario Ombudsman's Office released their report relating to student transportation in the 2016-17 school year when more than 1,000 students at the TDSB and TCDSB were affected by delays, route changes and a driver shortage. The Ombudsman's report contained 42 recommendations which TSTG accepted. The recommendations included, among other things, developing a school bus transportation complaint procedure, a communication protocol to ensure parents, school boards and other stakeholders are notified of service disruptions, and contingency staffing plans.

Update:

Auditor General of Ontario:

One outstanding item (recommendation 12) remains relating to increased efficiency of school transportation services. Of the five action items included in the recommendation, three are in the process of being implemented, one has been completed (introduction of staggered bell times, reducing the number of buses required) and one action will not be implemented (coordinating common days off between both Boards). It should be noted that common days off has been introduced in the elementary panel but not the secondary panel. The Auditor General is in the process of conducting the annual follow up for 2021.

Ontario Ombudsman:

The Special Ombudsman Response Team is following up on the implementation of the recommendations and noted they only received four complaints about school bus delays or driver shortages in the two boards during fiscal 2019-2020, compared to 120 in September 2016. The last follow up conducted in March 2019, found that 34 of the 42 recommendations had been fully or partially implemented, with the remaining expected to be completed when transportation contracts are renewed. The Ombudsman has conducted an annual follow up with reporting expected later in the year.

Action Plan and Associated Timeline

For reporting purposes only.

Resource Implications

No internal resource implications.

Communications Considerations

Included in public Audit Committee minutes.

Board Policy and Procedure Reference(s)

N/A – O.Reg 361/10, Auditor Act of Ontario and Ombudsman Act of Ontario are applicable.

Appendices

- Appendix A: Auditor General of Ontario Student Transportation – 2015
- Appendix B: Auditor General of Ontario Student Transportation Follow Up – 2019
- Appendix C: Ontario Ombudsman Route of the Problem report – 2017

From

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Chapter 3

Ministry of Education

Section

3.13

Student Transportation

1.0 Background

1.1 Overview

In the 2013/14 school year, over 830,000 Ontario students were transported daily to and from publicly funded schools on approximately 19,000 school vehicles such as school buses, vans and cars. Almost all student transportation in Ontario is provided through contracts with school bus operators, and more than 70% of the children transported were in kindergarten or elementary school.

All school boards in the province provide some level of transportation services to elementary students, and most provide service to secondary students. *The Education Act* (Act) does not explicitly require school boards to provide transportation services. However, section 21 (2)(c) of the Act excuses a child from attending school if transportation is not provided by a school board and there is no school situated within the following distances from the child's residence:

- 1.6 kilometres for children under 7 years of age;
- 3.2 kilometres for children aged 7 to less than 10 years of age; and
- 4.8 kilometres for children over 10 years of age.

School boards base their students' eligibility for transportation services to a large extent on the distance from home to school. **Figure 1** shows the number of students transported in 2013/14, the last year for which data is available, by type of program or need.

Figure 1: Number of Students Transported, Broken Down by Type of Program or Need, 2013/14

Source of data: Ministry of Education, Student Transportation Survey for 2013/14

Type of Program or Need	#	%
Students without special needs		
General programs (students meet distance eligibility criteria)	570,014	68.3
Special programs – French Immersion	114,210	13.7
Special programs – other (eg., gifted, arts, music, technical)	18,720	2.2
Hazard (not eligible based on distance but hazardous walk for age/grade)	55,626	6.7
Courtesy (not eligible based on distance but empty seats are available)	33,323	4.0
Subtotal	791,893	
Students with special needs	39,798	4.8
Other (Section 23 schools and provincial schools*)	2,538	0.3
Total	834,229	100.0

* Section 23 schools are correctional and custodial facilities. Provincial schools are operated by the Ministry of Education and provide education for students who are deaf or blind, or have severe learning disabilities.

1.2 Roles and Responsibilities in Providing Student Transportation

Figure 2 illustrates the roles and responsibilities of the parties involved in transporting Ontario students to and from school.

1.2.1 Ministry of Education

The Ministry of Education (Ministry) provides funding to school boards through the Student Transportation Grant. It also conducts an annual survey of school boards on student transportation services across the province. The survey is completed and its results are provided to the Ministry by the transportation consortia. According to the Ministry, the survey is intended to support policy development by the Ministry and decision-making by school boards and consortia.

Between 2006 and 2011, the Ministry used external consultants to conduct initial effectiveness and efficiency reviews on the operations of transportation consortia in four areas: consortium management; development and implementation of policies and practices; routing and technology; and contract management. It used the overall rating as the basis for determining adjustments to transportation funding for boards that run a deficit in their transportation spending. The Ministry will conduct a follow-up review if the consortium that requests a review can demonstrate significant progress in implementing the recommendations made in the initial review.

1.2.2 School Boards

There are 72 school boards in the province. The Ministry of Education gives school boards autonomy and authority for student transportation. The boards are responsible for overall decisions related to providing student transportation, including establishing policies and eligibility criteria.

1.2.3 Transportation Consortia

There are 33 transportation consortia in the province. A transportation consortium is an organization formed by two to five school boards operating in the same geographical area (such as public, Catholic, French or English boards). To limit costs and increase efficiency in student transportation, the Ministry of Education in the 2006/07 school year asked all school boards to begin consolidating transportation functions into consortia that would provide services to boards in the same geographical areas; a few boards had already formed consortia at that time. At the time of our audit, all school boards, except one northern French Catholic board, were part of a consortium. Seventeen school boards are in more than one consortium because of overlapping boundaries. Consortia are responsible for:

- administering transportation policies of member school boards;
- planning transportation services (designing routes; identifying eligible students; determining student pickup and drop-off locations and times; managing student information needed by school bus operators);
- contracting with school bus operators to provide student transportation services;
- managing contracts with school bus operators, including monitoring service performance; and
- performing audits on school bus operators to ensure compliance with legislation and regulations, and with their contracts.

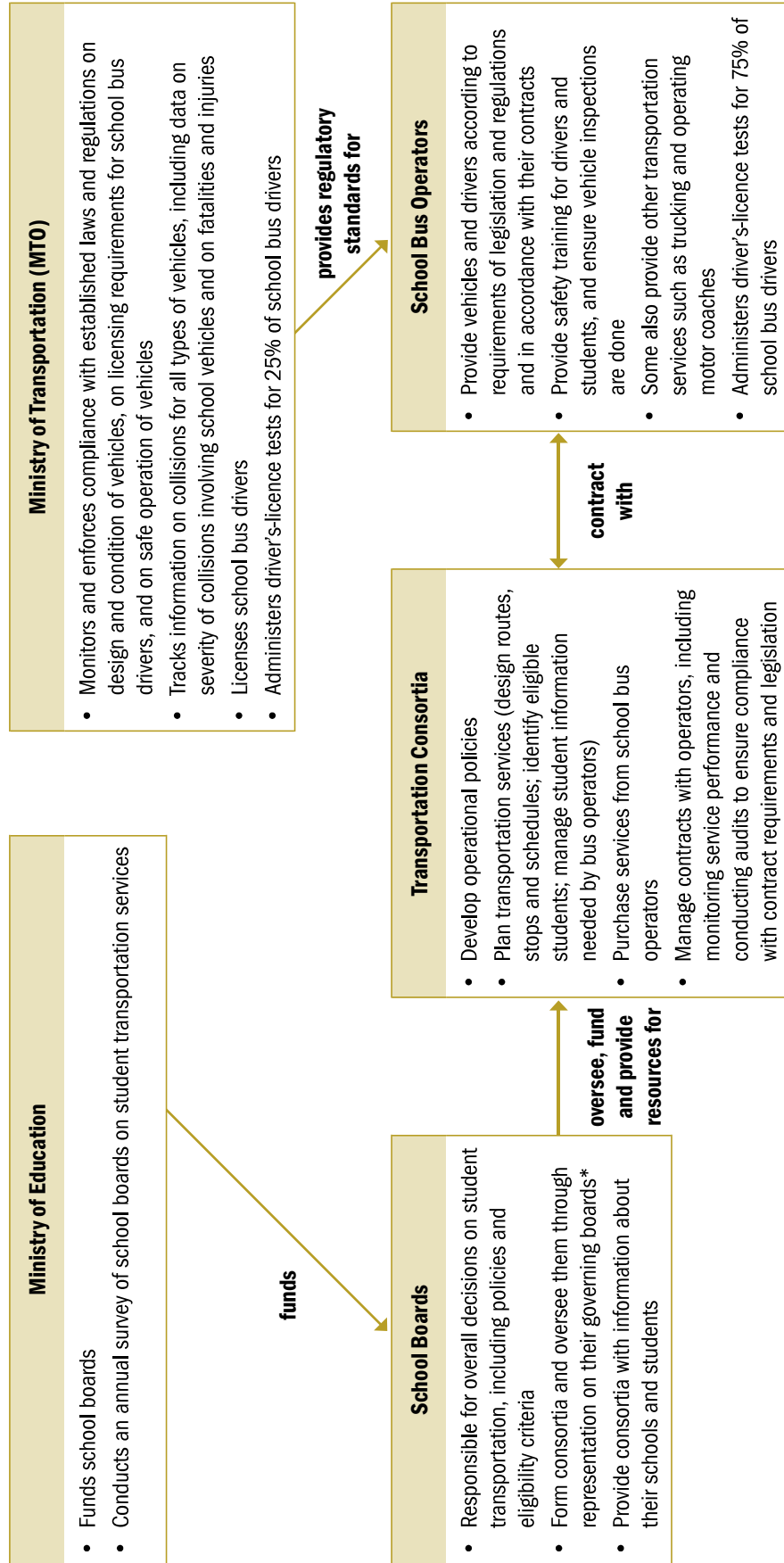
School boards are represented on the consortia's governing boards to provide oversight, and they provide consortia with key information about their schools and students (such as name, age, address and special needs).

1.2.4 School Bus Operators

There are more than 200 school bus operators in the province providing publicly funded student transportation services. School bus operators are

Figure 2: Roles and Responsibilities of Parties Involved in Ontario Student Transportation

Prepared by the Office of the Auditor General of Ontario



* One school board is not part of a consortium and manages transportation services directly.

contracted by consortia to transport students. They are responsible for ensuring their vehicles and drivers meet requirements set out in legislation and regulations (such as having semi-annual vehicle inspections for mechanical fitness and maintaining drivers' daily log books, which record hours of service, breaks taken and mileage driven), and for complying with provisions set out in their contracts (such as providing safety training for drivers and students, and conducting background checks for drivers).

In the 2012/13 school year (the most recent year that this information was compiled), 19 school bus operators were each paid at least \$5 million for transporting students attending publicly funded schools. Two of these operators received 40% of the total of about \$760 million paid to all operators for home-to-school transportation.

1.2.5 Ministry of Transportation

The Ministry of Transportation (MTO) enforces federal and provincial laws and regulations that relate to the design and mechanical condition of vehicles, licensing requirements for school bus drivers and the safe operation of vehicles.

MTO has about 90 people employed in the Carrier Safety and Enforcement Branch in St. Catharines. These staff promote the safe operation of commercial vehicles in Ontario. This includes monitoring compliance with legislation for all types of vehicles, not just school vehicles. In addition, some of the approximately 250 enforcement officers located across the province conduct safety inspections of commercial vehicles (including school buses), conduct audits at the premises of commercial operators (including school bus operators) and investigate privately owned Motor Vehicle Inspection Stations, which inspect commercial and non-commercial vehicles (including school vehicles) for mechanical fitness.

1.3 Funding and Expenditures for Student Transportation

For the 2013/14 school year, the most recent year for which this information has been finalized, transportation grants to school boards totalled \$867 million, or about 4% of the \$21 billion of total operating funding available to school boards. Transportation grants are estimated to be \$880 million for the 2014/15 school year, as shown in Figure 3.

Figure 3: School Board Funding, Actual Transportation Expenditures and Number of Students Transported, 2008/09–2014/15

Source of data: Ministry of Education, Education Financial Information System, and Student Transportation Survey

School Year	Total School Board Operating Grant (\$ million)	Transportation Grant (\$ million)	Transportation Grant as a % of Total Operating Grants	Actual Transportation Expenditures* (\$ million)	Students Transported (#)
2008/09	18,892	816.0	4.3	815.2	817,918
2009/10	19,537	827.6	4.2	825.7	818,189
2010/11	20,271	839.8	4.1	840.6	824,024
2011/12	20,985	852.5	4.1	858.1	823,462
2012/13	20,967	850.0	4.1	852.9	833,685
2013/14	20,768	866.6	4.2	861.7	834,229
2014/15 estimate	22,449	880.0	3.9	Not yet available	Not yet available

* When actual expenditures exceed grants received, school boards whose consortia have an effectiveness and efficiency review rating of moderate and above will receive, in whole or in part, additional funding to cover the shortfall in the year of review. This effectively resets the transportation funding in subsequent years. Otherwise, school boards have to make up the shortfall from other program areas.

Figure 4: Breakdown of Student Transportation Expenditures, 2013/14

Source of data: Ministry of Education, Student Transportation Survey for 2013/14

Expenditure	%
Contracted school vehicle services*	94
Consortium management	4
Student safety training and other	2
	100

* Includes the cost of using taxis and public transit, which is covered by school boards.

Grants to school boards, including the student transportation grant, are calculated in accordance with regulation, and are initially based on budgets/estimates submitted by school boards in June for the upcoming school year (September to August). Grant amounts are revised in December when updated financial and enrolment information is received. The grant amount is finalized after school boards submit audited financial statements the following November.

As seen in **Figure 4**, over 90% of expenditures on student transportation are payments primarily to contracted bus operators. The remaining expenditures are for consortium management, student safety training and other costs. However, according to the Ministry of Education, school boards are free to use any portion of the transportation grant for non-transportation-related items such as classroom expenses (for example, textbooks) or non-classroom expenses (for example, school office supplies or administrative costs). Most other education funding components are also administered by the Ministry in a similar fashion.

2.0 Audit Objectives and Scope

The objectives of our audit were to assess whether effective systems and procedures were in place to safely and efficiently transport elementary and sec-

ondary school students; ensure the level of service across the province is equitable and based on need; and measure and report on performance in this regard.

Audit work was primarily conducted at three transportation consortia and the Ministry of Transportation, and to a lesser extent at school boards and the Ministry of Education. At the consortia, we reviewed their transportation planning, including the eligibility criteria applied; bus utilization; safety provisions included in contracts with school bus operators; training of students on riding the bus safely; oversight practices for ensuring operators maintain their vehicles and hire and train competent drivers; and whether collisions are tracked and analyzed. As well, we looked at the process used by consortia to develop efficient and safe routes. We also reviewed procurement practices used to acquire their current transportation services. The three consortia we visited were from two different regions and administered transportation services for a total of nine school boards. In the 2013/14 school year, these consortia accounted for almost 20% of student transportation costs incurred and students transported in the province, as shown in **Figure 5**.

We also sent a survey to the remaining 30 consortia across the province on key issues we identified during our consortium visits. All consortia responded to our survey.

At the Ministry of Transportation (MTO), we reviewed the frequency of ministry inspections of school buses, audits of school bus operators and investigations of privately owned Motor Vehicle Inspection Stations that conduct semi-annual mechanical inspections of school vehicles which carry six or more children. As well, we gained an understanding of the school bus driver licensing process, and assessed whether safety performance data, tracked by MTO (through its Commercial Vehicle Operator's Registration System—CVOR) and relied upon by consortia, is accurate and up to date.

Figure 5: Details on Transportation Consortia Selected for Audit

Source of data: Ministry of Education

				Students Transported, 2013/14	Actual Transportation Costs, 2013/14 (\$ million)
Consortia Visited	School Boards in Consortium	Type of Area Served	Jurisdictions in Area Served		
Toronto Student Transportation Group	Toronto District School Board	Urban	Toronto	54,600	81.6
	Toronto Catholic District School Board				
Student Transportation of Peel Region	Peel District School Board	Predominantly urban with some rural areas	Mississauga, Brampton, Caledon	64,000	54.4
	Dufferin-Peel Catholic District School Board				
Sudbury Student Services Consortium	Rainbow District School Board	Predominantly rural with some urban areas	Greater Sudbury, Espanola, Manitoulin	21,300	26.5
	Conseil scolaire du district du Grand Nord de l'Ontario				
	Sudbury Catholic District School Board				
	Conseil scolaire catholique du Nouvel-Ontario				
	Huron-Superior Catholic District School Board ¹				
Total				139,900 ²	162.5 ³

1. Huron-Superior Catholic District School Board is not a member of the Sudbury Student Services Consortium but it contracts services from the consortium.

2. This represents 17% of the total 834,229 students transported province-wide in 2013/14.

3. This represents 19% of the total \$861.7 million in actual transportation costs province-wide in 2013/14.

At the school boards, we met with senior school board management and select school board trustees to discuss their oversight of the consortia.

At the Ministry of Education, we reviewed the adequacy of the effectiveness and efficiency reviews of consortia and the basis for funding student transportation services. We also reviewed information obtained from the Ministry's annual transportation surveys of school boards.

We also met with members of the Transportation Committee of the Ontario Association of School Business Officials, whose members include consortium management; representatives from the Ontario School Bus Association and the Independent School Bus Operators Association, which advocate on behalf of school bus operators; and representatives from a union that represents almost 1,800 school bus drivers.

We also met with Colin Campbell, a retired Justice of the Ontario Superior Court, who in October 2014 was contracted by the Education Minister to chair an expert panel to identify best practices and explore options for acquiring student transportation services (other than requests for proposals for competitive procurement) that are in compliance with government procurement directives. At the time we were drafting this report, the review panel had not yet issued its report.

3.0 Summary

School vehicles are generally considered to be a safe mode of transportation based on the number of collisions in relation to the number of passengers

transported and kilometres travelled. The Ministry of Transportation reported that over the last five years, school vehicles have been involved in 5,600 collisions that have resulted in property damage, personal injuries and fatalities. Overall, in Ontario the risk of personal injury from collisions involving school vehicles is lower than for other types of vehicles, and the risk of fatalities is similar to that for all other types of vehicles. However, in 2013, the latest year for which information is available, Ontario's school vehicles were involved in more collisions proportionately than automobiles and trucks but fewer than other types of buses, based on total number of vehicles by type. Specifically, 12% of school buses were involved in collisions, compared to 4% of automobiles, 2% of trucks and 16% of other buses. The police determined that the school bus driver was at fault in 40% of the cases; the bus driver was not at fault in 54% of cases and in 6% of cases the cause of the collision could not be determined.

Only limited information is being tracked by consortia on incidents impacting children such as late buses and mechanical breakdowns of vehicles. With the limited information available to us during our audit, we noted an increase in such incidents between 2012/13 and 2013/14.

Nevertheless, the potential of risk to students being transported makes it important that the Ministry of Education, school boards and transportation consortia, and the Ministry of Transportation continue to consider and minimize risk factors in three key areas that impact the safe transport of students: bus driver competence, vehicle condition and student behaviour. Based on our audit we concluded that better oversight of bus operators and their drivers, better processes for ensuring the safe operation of school vehicles, better training for students in bus safety, and better tracking and analysis of collisions and incidents may even further reduce risks to students.

Safe Transport of Students

The following are some of our key observations regarding the safe transport of students:

- **Better oversight and monitoring needed to ensure school bus driver competence.** Although there is a rigorous process for licensing school bus drivers and renewing their licences every five years, we noted weakness in the consortia's oversight processes to determine if drivers were competent. Consortia we visited normally gave bus operators advance notice of all operational reviews, and one consortium let school bus operators select the driver files to be reviewed. Part of the review included route audits to verify that bus drivers follow the planned route, stop at all assigned stops and perform their duties safely. We noted that route audits were infrequent and, in the case of one consortium, ineffective, as the driver was aware of the audit because the assessor would ride along on the bus as opposed to following the bus without the driver knowing. When the reviews did uncover issues such as some drivers not having the required criminal-record screening checks, only one of the three consortia we visited was reasonably diligent in ensuring that the operators rectified the problems noted.
- **Improvements needed in ensuring school vehicles are in good condition.** Contracts with school bus operators stipulate the maximum and average age permitted for a school bus. Our review at the three consortia we visited noted that most vehicles were under the maximum age of 12 years, but each consortium had operators using at least one type of vehicle that exceeded the average age requirement (typically seven years). We noted that the process used by consortia to determine if school vehicles were in good condition was weak. Only two consortia visually inspected the condition of school buses, and they selected for inspection only a small number of those buses that were on site on the day

of the inspection. Similarly, the Ministry of Transportation's inspection process for school vehicles needs improvement. We noted that it was not targeting those vehicles most at risk for safety violations, performing inspections on a timely basis, or ensuring that defects noted during inspection were fixed.

- **Ministry of Transportation not aware of all school buses on the road.** The number of school vehicles recorded in the Ministry of Transportation's bus inspection tracking system was less than the number of school vehicles contracted by transportation consortia. In the 2013/14 Ministry of Education survey, the consortia reported to the Ministry of Education that they had contracted about 19,000 school vehicles from operators; the system, however, lists only about 16,000. The number of school vehicles in the system should be much higher than the number contracted by consortia because it should also include school vehicles used by private schools and other organizations.
- **Little oversight of school bus operators that are allowed to certify their own buses for mechanical fitness.** The Ministry of Transportation allows licensed privately operated Motor Vehicle Inspection Stations, including those operated by school bus operators, to conduct semi-annual mechanical inspections of school buses and certify them. The Ministry of Transportation provides little oversight of these stations to ensure they conduct thorough inspections. We found that over the last five years only 12 stations belonging to school bus operators had been inspected by the Ministry of Transportation.
- **The Ministry of Education has not mandated a bus safety training requirement for students riding school buses.** It is up to each consortium to determine whether or not it will offer bus safety programs to its students, and which programs to offer. Only 16 of 33 consortia in the province had made general

school bus safety training mandatory, and only five had mandatory orientation for new riders.

- **Many consortia were not collecting their own information on collisions and incidents involving school vehicles to identify problems and take corrective action.** Only four of 33 consortia were able to provide us with statistics on all the categories of incidents that we requested, and only half were able to provide us with complete information on collisions. Incidents include buses breaking down or dropping students off at the wrong stop, student injuries and behaviour issues, and other problems. The Ministry of Education has not set any guidelines for the reporting of school vehicle collisions and incidents among consortia, to enable analysis of their causes and to develop strategies to prevent them in the future.

Efficient Transportation of Students

Our audit noted differences in how transportation consortia operated and managed student busing services—for example, in the degree to which they employed efficiency strategies, in the level of service provided and in costs per student transported. We noted that the ability of a consortium to efficiently and effectively manage transportation services is impacted by the level of authority delegated to it by the school boards it serves, and the willingness of school boards to work co-operatively and integrate services. Although consortia have implemented efficiency measures to varying degrees to improve the efficiency of school transportation services and, in turn reduce costs, they could be doing more.

Our key observations regarding the efficient delivery of service, the level of service provided, funding and procurement practices are as follows:

- **Funding for school transportation is not based on need.** Instead, it is based on each board's 1997 spending level, with annual adjustments for enrolment and inflation, and

other minor adjustments such as fuel costs and safety initiatives. The Ministry of Education's funding formula does not take into account local factors that can significantly influence transportation costs, such as enrolment density, geography, the availability of public transit, the number of students with special needs, and hazards on the route. In 2004, the Ministry began testing a new funding formula based on need. However, due to significant pushback, especially from boards that expected to get less, the Ministry abandoned the new funding model and continued with the status quo.

- **School busing is not available on an equal basis to students across the province.** There are significant differences in student eligibility for busing services across the province. For example, three boards do not provide busing services to secondary students who do not have special needs. The percentage of students for whom consortia have arranged school transportation varies significantly between boards, from 10% to 87%. This results from differences in geography, student population density and availability of public transit, but the boards' differing eligibility criteria are also a factor. We noted that eligibility criteria for busing even varied among school boards served by the same consortium and among schools within the same board. Ontario has no provincial eligibility standard for busing, and, as a result, school boards can determine which groups of students they will provide transportation for and spend their funding on.
- **Although the cost of transporting students varies widely among school boards, the Ministry of Education has not followed up with the boards to determine if these variances are justified.** The average cost to transport a student without special needs, based on the Ministry's 2013/14 student transportation survey, was \$740, with a range

between boards of \$365 to \$1,680. The average cost to transport a student with special needs was \$4,650, with a range between boards of \$1,045 to \$11,205. A significant portion of this disparity is due to differences in geography, student population density and other local factors. But the Ministry has not determined if the disparity is also partly due to inefficiencies in providing busing services such as, not optimizing route planning software and co-ordinating common days off between school boards.

- **Reliable bus utilization data is not available.** In general, consortia did not have reliable bus utilization statistics because they did not typically track the number of riders. In addition, each consortium set its own capacity for a bus and used different methods to calculate the utilization rate. Consortia usually based the number of buses needed on the number of students eligible for busing. However, head counts that drivers performed on three consecutive days at one consortium we visited showed that only about 70% of the students it had planned would use school transportation were actually using the service. This may indicate that the consortium had excess capacity and was incurring unnecessary costs.
- **Consortia are contracting for more bus services than they actually need.** Two of the consortia we visited were using their buses less than the time negotiated in their contracts with bus operators. For example, one consortium had negotiated a base rate for three hours a day for its large buses, but we found that it used about two-thirds of these buses for two hours or less each day. The consortium could save money if it contracted fewer buses and used them for additional trips.
- **Only about 50% of the consortia in the province had competitively procured their current transportation services.** The last time one consortium we visited had

competitively procured busing services was in 2006. We reviewed the latest competitive procurement process followed by each of the three consortia we visited and noted that, although all had evaluated qualitative factors, only two consortia based their selection decision on both quality and price. One consortium had selected school bus operators entirely on price. The two that considered both qualitative factors and price weighed qualitative criteria at 65% and criteria related to price at 35%, which is in line with best practice information we received from Supply Chain Ontario (the government's procurement experts). We would have expected all three consortia to allocate high marks to safety-related criteria. But we noted that the weighting of safety criteria varied significantly among the three consortia, ranging from a high of 65% to a low of 26% of the total qualitative score.

This report contains 15 recommendations, consisting of 31 actions, to address the findings noted during this audit.

OVERALL RESPONSE FROM THE MINISTRY OF EDUCATION

Elementary and secondary education in Ontario is governed by the *Education Act*, which states that school boards are self-governing bodies. They are responsible for developing programs and policies, including those for transportation, that meet their local needs. The Ministry will encourage and support the Ontario Association of School Business Officials Transportation sub-committee to address these issues at a provincial level.

OVERALL RESPONSE FROM THE MINISTRY OF TRANSPORTATION

The Ministry of Transportation appreciates the insights and recommendations of the Auditor General and is strongly committed to continu-

ously improving the safety of all commercial vehicles operating in Ontario, including school buses and other school-purpose vehicles.

The Ministry believes that its school bus inspection program is among the most comprehensive and stringent in North America, and the recommendations from this report will help build on the improvements and initiatives that are already under way.

4.0 Detailed Audit Observations

4.1 Oversight Processes for Safety Can be Improved

School vehicles are generally considered to be a safe mode of transportation, as compared to other vehicles, based on the number of collisions in relation to the number of passengers transported and kilometres travelled. Even so, over the years school vehicles have been involved in collisions that have resulted in student fatalities, injuries and property damage.

The Ministry of Transportation (MTO) reports on collisions for all types of vehicles, including school vehicles, based on police reports. In its Ontario Road Safety Annual Report, MTO reports collisions that result in a fatality or injury, or where the damage to property is \$1,000 or more. We reviewed collision data involving school vehicles during school days from September to June inclusively, for the latest five-year period for which information was available (2008/09–2012/13). As shown in **Figure 6**, the number of collisions involving school vehicles has been relatively constant over the last four years. The risk of collisions resulting in death is 0.2%, which is similar to that for all vehicle types combined. However, the risk of collisions resulting in personal injury is comparatively lower at 14% for school vehicles compared to 23% for all vehicle types combined. Over the same period, school bus drivers were found to be at fault in about

Figure 6: Collisions on School Days Involving School Vehicles

Source of data: Ministry of Transportation

	Severity of Collision *						Total Collisions	
	Fatalities		Personal Injury		Property Damage			
School Year	#	%	#	%	#	%	#	%
2008/09	7	0.6	185	14.3	1,100	85.1	1,292	100
2009/10	2	0.2	154	14.5	903	85.3	1,059	100
2010/11	—	0.0	162	14.0	992	86.0	1,154	100
2011/12	3	0.3	154	15.3	848	84.4	1,005	100
2012/13	2	0.2	150	13.5	956	86.3	1,108	100
Total	14		805		4,799		5,618	
5-Year Average	3	0.2	161	14.3	960	85.4	1,124	100

* Any collision that resulted in more than one category of severity (e.g., Personal Injury and Property Damage) is recorded once in the most severe category (e.g., Personal Injury).

40% of these cases. This is slightly better than the at-fault rate of about 45% for drivers of all other vehicles. In 2013, the latest year for which information is available, Ontario's school vehicles were involved in more collisions proportionately than automobiles and trucks but fewer than other types of buses, based on total number of vehicles by type. Specifically, 12% of school buses were involved in collisions, compared to 4% of automobiles, 2% of trucks and 16% for other buses.

Transporting students safely is influenced by three key factors, discussed below:

- bus driver competence;
- vehicle condition; and
- student behaviour.

4.1.1 Driver Competence and Vehicle Condition

Both the transportation consortia and the Ministry of Transportation play a role in ensuring proper vehicle condition and driver competence in order to minimize risks in transporting students.

Transportation Consortia

Transportation consortia contract with school bus operators that provide student busing services. The consortia conduct annual operational reviews on

operators to confirm driver competence, vehicle safety, and compliance with contract requirements. To help ensure driver competence, consortia verify that drivers have valid licences, have had a criminal record check, meet training requirements, and do not exceed the legislated maximum hours on the road. They also follow drivers on a route to see if they are following the route correctly and obeying consortium safety policies when picking up and dropping off students.

To help ensure vehicle safety, consortia test a sample of school vehicles to see if they have undergone the required preventative maintenance checks, pre-trip inspections (where the driver checks the vehicle prior to each trip) and semi-annual mechanical inspections. Their contracts with school bus operators contain vehicle age requirements.

School Bus Driver Credentials and Training

In general, a school bus driver requires a licence (class B or E) in addition to a G class driver's licence. A driver must have successfully completed a knowledge test, road test, vision test, criminal record check and the school bus driver improvement course, and submitted a medical report. Applicants also must not have accumulated more than six demerit points.

Licences for school bus drivers are renewed every five years. The renewal process requires drivers to complete a vision and knowledge test and submit a medical report. Drivers aged 46–64 must submit more frequent medical reports, every three years, and drivers 65 years and older must submit a medical report every year.

Unable to Correlate the Impact of School Bus Driver Turnover with Safety

We were told by transportation consortia, school bus operators and a union representing school bus drivers about their concerns over the increase in driver turnover over the years. These groups felt that driver continuity and familiarity with the route and the students on the bus is critical to student safety. We reviewed the turnover rates provided by all school bus operators servicing the three consortia we visited and noted that they ranged from 14% to 27% in 2013/14. We compared these rates to different indicators of safety at the consortia, such as accidents and incidents on the bus, and did not find a correlation. However, as noted in **Section 4.1.4**, information on incidents and collisions is not well tracked in general and may not be reliable for this potentially useful comparison.

Some Bus Operators Use Buses That Are Older Than Their Contracts Require

Maintenance costs and safety concerns increase as vehicles get older. In order to reduce the risk of using unsafe vehicles, the consortia we visited included requirements in their contracts with bus operators outlining the maximum age permitted for school vehicles used to transport students, as well as the vehicles' average age. We reviewed a number of contracts at the three consortia and noted that they usually stipulated a maximum age of 12 years and an average age of seven years for the bus type and per operator. Our review noted that most vehicles were under the maximum age, but at each consortium we identified operators using at least one type of vehicle that exceeded the average age requirement. Specifically, one-third of the operators at one consortium we visited and all the operators

at another consortium have at least one type of bus that exceeded the average age.

Weaknesses in Operational Reviews of Bus Operators Conducted by Consortia

We had a number of concerns with the annual operational reviews conducted by the three transportation consortia we visited. Overall, the consortia we visited selected a very small number of drivers and vehicles from each contracted school bus operator for annual review.

In evaluating driver competence, the consortia normally gave bus operators advance notice of all operational reviews, and one consortium let operators select which drivers' files were to be reviewed. Because these practices allow bus operators to prepare for their review, their performance on that day may not be typical of their usual practices. This raises doubts about the reliability of the reviews. The consortia also performed route audits to verify that bus drivers follow the planned route, stop at all assigned stops and perform their duties safely. However, they conducted these route audits infrequently, with one consortium conducting them only as a result of complaints it received. Auditing practices were also inconsistent, with one consortium's assessor riding on the bus so that the driver was aware of the audit. This consortium told us that it periodically used the GPS software on buses to verify drivers' compliance in following the established bus route and activating the vehicle's safety mechanisms (such as alternating lights and stop arms). However, the extent of this activity was not tracked.

When the operational reviews did uncover issues such as some drivers not having the required vulnerable sector screening checks, drivers' first aid training being out of date or driver abstracts (official Ontario driver performance records) missing from files, only one of the three consortia we visited regularly followed up to ensure that these were rectified. Another consortium followed up on only some issues. At the third consortium, poor documentation made it difficult to assess whether

problems had been appropriately rectified by the operator.

When it came to evaluating vehicle safety, only two consortia visually inspected the condition of buses as part of the operational review, in addition to checking maintenance and inspection records. The buses selected for inspection, however, might not have been representative of the buses actually in use. This is because the sample chosen was not based on the total population of buses, but rather on the vehicles that were present at the operator's premises at the time of the review.

RECOMMENDATION 1

The transportation consortia in conjunction with school boards should:

- develop and conduct consistent and effective oversight processes for school bus operators to confirm their compliance with contract and legal requirements for driver competence and vehicle condition; and
- track the rate of bus driver turnover, along with accidents and incidents such as dropping students at the wrong stop, to help determine if there is a link between driver turnover and safety risks, and if action is needed.

TRANSPORTATION CONSORTIA RESPONSE

All three consortia were in agreement with this recommendation. The consortia stated that successful implementation would best be achieved through the Ontario Association of School Business Officials Transportation subcommittee. This would allow for input and discussion by all consortia, and enable the development of uniform processes across the province for the effective oversight of school bus operators and for tracking the relationship between bus driver turnover and accidents and incidents.

Ministry of Transportation

The Ministry of Transportation (MTO) has a number of roles in enforcing driver competence and vehicle safety. MTO issues licences to school bus drivers and is to enforce school bus operators' compliance with federal and provincial legislation and regulations for the safe operation of vehicles. It administers a safety monitoring and intervention program for commercial vehicle operators (including school bus operators) by assigning each a safety rating based on their record of traffic infractions, collisions, inspections, and the results of facility audits; and by monitoring these ratings. It undertakes facility audits at the offices of school bus operators to assess whether the operator has controls in place that ensure that:

- drivers are properly qualified and are complying with the maximum hours of driving requirements; and
- vehicles are in good condition.

To determine vehicle safety and compliance with legislation and highway safety standards, MTO conducts physical safety inspections of school buses and their drivers at various locations, including terminals where the vehicles are kept by bus operators. During facility audits at operators' offices, it checks documentation to determine whether vehicles are being properly maintained and have been formally inspected twice a year. As well, MTO investigates complaints regarding privately operated Motor Vehicle Inspection Stations, which certify school vehicles for mechanical fitness.

Effectiveness of School Bus Driver Improvement Program Not Monitored

In 2008, the Ministry of Transportation implemented a new School Bus Driver Improvement Program as a requirement of obtaining a school bus driver's licence under the *Highway Traffic Act*. However, it was up to each school bus operator or third party that was approved to provide this course to develop and deliver the course in conformity with standards set by MTO. Although required to do so, the Ministry has not monitored the delivery of the course, nor has it reviewed the effectiveness

of the program to determine whether it has made an impact on safety in the industry. Since that time, our review of police at-fault collision statistics has indicated little or no improvement in bus driver performance. Consistently, for each year from 2008/09 to 2012/13, for collisions involving school vehicles, the police determined that the school bus driver was at fault in about 40% of cases. For the remaining collisions, either the bus driver was not at fault (54% of cases) or the cause of the collision could not be determined (6% of cases).

RECOMMENDATION 2

To help promote good practices and safe driving by drivers of school vehicles, the Ministry of Transportation should monitor the delivery of the School Bus Driver Improvement Program and review its effectiveness.

MINISTRY OF TRANSPORTATION RESPONSE

The Ministry is currently reviewing the auditing and oversight regime for all driver-training-related programs, including the School Bus Driver Improvement Program, and is establishing an audit framework to provide for its effective monitoring.

Improvements Needed to the Commercial Vehicle Operators' Registration (CVOR) Program

MTO's Commercial Vehicle Operators' Registration program, or CVOR, tracks the on-road performance of school buses and other buses and trucks. It assigns points for drivers' traffic violation convictions, collisions, results of vehicle inspections and audits by MTO at the operator's place of business. The points assigned are compared against distance travelled and fleet size to determine a school bus operator's safety rating. A poor rating may result in a warning letter from MTO, an audit on the operator's operations, an interview or removal of the operator's right to operate in Ontario. Our concerns with MTO's CVOR program as it affects school buses were as follows.

Safety ratings of school bus operators were not always up to date. We reviewed a number of safety violations and found that information provided by the courts (convictions) or the police (collision statistics) took a considerable time to appear in the rating. Half of the convictions took at least 83 days, and half of the collisions took at least 105 days to appear in the rating. We also found that when a traffic violation is challenged in court it is not entered into the operator's rating unless the person is convicted; sometimes it took more than 300 days from the date of the violation before it appeared in the rating. Similarly, we noted that in some cases it took about two years for an accident to appear in the rating. This is a concern, as operators' safety ratings take violations into account for only 24 months following the date they occur. Therefore, the time lag between the date the violation occurred and the date it is considered in the rating shortens the time the violation appears on the safety rating, and in turn could delay or prevent any needed intervention by MTO.

Because operators self-report the distances their buses are driven, there is a risk they can manipulate the numbers to obtain a more favourable safety rating. An operator's safety rating improves with the number of vehicles and kilometres driven. This information, however, is not verified by MTO. A 2013 consultant's study on the effectiveness of the CVOR program recommended that MTO consider implementing measures to verify the number of vehicles and kilometres travelled reported by operators.

CVOR safety ratings are of limited use to transportation consortia in helping them assess the safety record of locally contracted school bus operators. The rating consolidates safety information for all of an operator's locations and for all of its commercial vehicles of every type, including vehicles not used for transporting students. Numbers and types of violations can vary by location, as each location may be operated independently, and different types of vehicles have different levels of risk. The consortia we visited informed us that they

need better safety information on the school buses in their own locations.

RECOMMENDATION 3

In order for the Commercial Vehicle Operators' Registration program (CVOR) to effectively track the on-road performance of school buses and trigger ministry intervention when school bus operators' ratings reach unacceptable levels, the Ministry of Transportation should:

- ensure that safety infractions are updated in the CVOR in a timely manner and that these are reflected in the operator's safety rating for the full 24 months from the time the infraction is input into the system;
- ensure that information in the CVOR is easy to interpret and provides safety information on local terminals of school bus operators; and
- consider ways to verify the accuracy of self-reported information on the number of vehicles in the operators' fleets and the number of kilometres driven.

MINISTRY OF TRANSPORTATION RESPONSE

The Ministry agrees with the Auditor General that the timely tracking of safety factors is an important tool for the provision of safe school vehicles.

The Ministry of Transportation's Carrier Safety Program is aligned with the National Safety Code Standards, a set of nationally agreed-upon standards covering a number of vehicle- and driver-related areas. The CVOR program is based on National Safety Code Standard 7 – Carrier Profile, which establishes the standards across Canada for convictions, collisions and Commercial Vehicle Safety Alliance inspections as the elements to be monitored and measured on a carrier's profile. This standard mandates that the "offence date" of the infraction is the date on which an infraction should be

noted on the record. An offence cannot be noted on the record until there is a conviction. While the Ministry recognizes that use of the offence date can result in delays in getting the infraction on record, collisions are getting on record more quickly now that police services have access to the "e-collision" program. Please note, though, that any necessary further investigation undertaken before the collision is submitted could pose delays. Ontario will continue to raise the concern with data entry delays with its national safety partners to see if there is a willingness to review the National Safety Code Standard, including reflecting events in the CVOR rating for a full 24 months. Changing Ontario standards in isolation would result in a lack of alignment across provinces and states.

The Ministry is also currently modernizing its driver, vehicle and carrier information technology systems to streamline processes and meet demands for more efficient and accessible services. The new Registration and Licensing System of Ontario will include revisions to the layout and format of the CVOR abstract to make it easier to understand a carrier's safety performance record.

The suggestion to provide safety information by terminal is challenging, as safety ratings and facility audits are operator-based in alignment with National Safety Code Standards. Also, operators move vehicles among their terminals to meet operational needs. Commercial Vehicle Safety Alliance (or enforcement) inspections performed at local terminals are the only terminal-based information available. The Ministry of Transportation is committed to working with the Ministry of Education, School Boards and Transportation Consortia to improve information sharing in this regard.

The Ministry already verifies some self-reported information during facility audits, and is also looking at additional ways to verify the accuracy of self-reported information. For example, future revisions to our systems may

enable utilizing odometer readings captured as part of the required semi-annual inspection.

Few School Bus Operator Facilities Are Audited

The Ministry of Transportation does not audit or inspect all school bus operators' facilities on a regular basis. As noted earlier, facility audits at operators' offices examine safety management controls for both driver competence and vehicle safety. They include checks of records of preventive maintenance, pre-trip inspection of buses, drivers' logs, licences and training. Facility audits may be triggered when an operator's safety rating in the CVOR (described earlier) reaches a significant level—for example, because of collisions, convictions and violations found in vehicle inspections. They can also be done when complaints are received or if an operator volunteers for an audit to improve its safety record. Because the threshold for audits is set for all commercial vehicles, few school bus operators reach the threshold for audit. Therefore, even though MTO follows its policy in regard to facility audits, the policy is of limited usefulness in helping increase the safety of school transportation. In the past five years, MTO has conducted only 24 facility audits on 19 school bus operators.

RECOMMENDATION 4

To help increase the safety of school transportation, the Ministry of Transportation should consider changing the threshold that triggers a facility audit for school bus operators.

MINISTRY OF TRANSPORTATION RESPONSE

The CVOR program is intended to take action with those operators identified at the highest risk of being or becoming unsafe. School bus operators are rarely subjected to a facility audit, as this is a very safe industry that doesn't often reach the predetermined threshold level to trigger a facility audit. However, the Ministry will do further analyses and establish an interven-

tion protocol specific to school bus operators based on the operator's safety performance.

Improvement Needed in Inspections of School Vehicles by the Ministry of Transportation

The Ministry of Transportation conducts safety inspections on all types of commercial vehicles on a regular basis, including the approximately 19,000 school vehicles with six or more seats that are used by school bus operators to transport students. Inspections may be known in advance or may be unannounced, and are conducted by MTO inspection officers, or sometimes by police officers with special training. A sample of school buses at each location used by an operator (referred to as a terminal) is chosen for inspection. In 2014, MTO officers inspected about 2,355 school vehicles. Our concerns with MTO's inspection process for school buses were as follows:

- **Inspections not timely.** We reviewed a number of school bus inspections and noted that more than 90% were not completed within the time frames stipulated by MTO's risk-based inspection approach. The average delay was almost three months, and the longest delay almost a year and a half.
- **Lack of evidence that required repairs were made.** During an inspection, when a violation or serious infraction (that is, a violation that takes the vehicle off the road) is noted, either the bus operator fixes it on the spot and the inspector verifies the fix and signs off on it, or the inspector issues a repair verification order that requires the operator to make the repair within 14 days and submit receipts to the inspector. However, in two-thirds of our sample of inspections with violations or serious infractions, there was no documented evidence that repairs had been made or that a repair verification order was issued as required.
- **Coverage of inspections incomplete.** We noted that over the past five years, MTO conducted 14,000 inspections on only 8,500 individual school vehicles—indicating that

many of these buses had been inspected multiple times over this period, some more than five times, while many had not been inspected at all. MTO inspectors generally inspected vehicles that were at the operator's terminal at the time, rather than selecting their sample from the total number of buses in the operator's fleet at that terminal. Also, MTO's policy requires that 40% of the sample of buses to be inspected should consist of newer buses (up to five years old) and 60% should consist of higher-risk older buses (more than five years old). Our review of a sample of inspections found that over 30% of inspections included more new buses than required and fewer older ones. For example, in one case where MTO was to inspect a sample of three new and five old buses, it actually inspected eight new buses.

The Ministry of Transportation's Bus Inspection Tracking System Not Complete or Accurate

Ministry of Transportation inspectors use the Bus Inspection Tracking System (system) to select operators' terminals (locations where buses are kept) for inspections of school vehicles. However, the information in the system is not always current. The system contains information on the location of terminals, the number of school vehicles by size, vehicles' last and next inspection date, and issues found during inspections at each terminal—but there is no mechanism for operators to inform MTO when terminals shut down and new ones open, the number of buses at a terminal changes, or a bus moves to a different terminal. Information in the system is updated only if the inspector becomes aware of changes during the year or after conducting an inspection. To illustrate:

- The number of school vehicles recorded in the system was less than the number of school vehicles contracted by transportation consortia. In the 2013/14 Ministry of Education (Ministry) survey, the consortia reported to the Ministry that they had contracted about 19,000 school vehicles from operators; the

system, however, lists only about 16,000.

The number of school vehicles in the system should be much higher than the number contracted by consortia, because it should also include school vehicles used by private schools and other organizations.

- The system contained inaccurate information on the location of operator terminals. We requested information from a sample of operators on the number of terminals they operated and compared this information to what was in MTO's system. In nearly 50% of our sample, the information differed. Either the location of terminals was different or the terminal was not listed in the system. If the terminal was not listed in the system, it would likely not be inspected.

RECOMMENDATION 5

To increase the effectiveness of its safety inspections of school buses at operators' terminals, the Ministry of Transportation (MTO) should:

- update and maintain its Bus Inspection Tracking System with complete and accurate information on the location of operators' terminals and school vehicles at each terminal;
- have inspectors focus on school buses considered to be high risk and those that have not been inspected recently;
- complete safety inspections of school buses within the time frames stipulated by MTO's risk-based inspection approach; and
- obtain evidence that violations or infractions noted during school bus inspections are rectified in a timely manner by a school bus operator.

MINISTRY OF TRANSPORTATION RESPONSE

The Ministry is currently modernizing its driver, vehicle and carrier information technology systems to streamline processes and meet demands for more efficient and accessible services. Future

revisions to the Registration and Licensing System of Ontario will enhance our ability to track and monitor the bus inspection program.

The Ministry acknowledges the Auditor General's concern and will undertake a review of its Bus Terminal Inspection protocol to ensure enforcement resources are targeting higher-risk school buses.

The Ministry of Transportation is also in discussions with the Ministry of Education, school boards and transportation consortia to determine how we can obtain more accurate information on the location of operators' terminals and school vehicles at each terminal.

The Ministry has taken steps to complete inspections that were overdue at the time of the audit. In light of the Auditor General's recommendations, the Ministry will also review its current policies and procedures and make any necessary changes to ensure they are effective and align with road safety objectives. It will also reaffirm expectations with field staff.

Limited Ministry of Transportation Oversight of Privately Operated Motor Vehicle Inspection Stations Responsible for Certifying the Safety of School Vehicles

The *Highway Traffic Act* requires school vehicles used for transporting six or more persons to have annual and semi-annual mechanical inspections at licensed privately operated Motor Vehicle Inspection Stations (MVISs). The Ministry of Transportation provides little oversight of MVISs to ensure that they conduct thorough inspections before certifying school vehicles. This oversight is especially important, since many school bus operators are licensed by MTO to have their own MVIS, which they can use to conduct the required inspections on their own fleet of vehicles. The Ministry investigates these stations only when complaints are made by the public or issues are noted by inspectors in the district offices. Over the last five years, only 12 stations where school bus operators were inspecting their own buses have been investigated. These investigations found some stations operating

without a licence, and questioned the effectiveness of the mechanical inspections performed at other stations.

We also found that MTO has very little assurance that all school vehicles are undergoing the required annual and semi-annual mechanical inspections. Following an inspection, there is no requirement for the MVISs to report to MTO.

RECOMMENDATION 6

To ensure that Motor Vehicle Inspection Stations (MVISs) are conducting effective mechanical inspections, the Ministry of Transportation should:

- devise a strategy that enables it to conduct risk-based reviews of MVISs, especially those that are run by school bus operators licensed to inspect their own school vehicles; and
- require the MVIS to submit its results of annual and semi-annual inspections for tracking in situations where concerns are identified, as confirmation that its school vehicles have undergone the necessary mechanical inspection.

MINISTRY OF TRANSPORTATION RESPONSE

The Ministry agrees that improvements can be made to Ontario's MVIS program. The *Making Ontario's Roads Safer Act, 2015*, includes enabling provisions that allow for changes to the program that are expected to considerably improve program standards through automated or electronic delivery of inspection certificates and enhanced monitoring and sanctioning capacity.

As the Ministry works to define the business requirements for the transformed MVIS program, consideration will be given to effectively tracking annual and semi-annual inspections.

4.1.2 Improvements in Information Sharing Are Needed

There is no protocol for information sharing between the Ministry of Transportation, school boards, transportation consortia and the Ministry of Education, nor does the Ministry of Education receive or request reports or specific information regarding school bus safety from these other participants. Sharing such information is needed to ensure that each participant is aware of any issues uncovered by the others regarding bus operators and the safety of their operations, so that appropriate action can be taken to improve the safety of student transportation services.

Within the education sector, we found that there is good collaboration and sharing of information and best practices among the management of different consortia, mainly through a subcommittee of the Ontario Association of School Business Officials. At times school board and Ministry of Education staff also attend these meetings. Also, consortium managers often conduct their own surveys as needed and share information on various issues, such as policies on bus cancellation due to inclement weather and transportation for special programs.

RECOMMENDATION 7

The Ministry of Transportation, in conjunction with the Ministry of Education, school boards and transportation consortia, should develop a protocol to share information on the results of their inspections and audits of school bus operators and motor vehicle inspection stations, and collision information. This will help facilitate timely action to enforce the safety of school transportation services throughout the province.

MINISTRY OF TRANSPORTATION RESPONSE

The Ministry of Transportation recognizes that there are challenges to directly sharing all

inspection results, audits and other events with school boards and transportation consortia, since a single bus operator may serve multiple school boards or consortia and may also have vehicles unrelated to the transportation of children. Despite these challenges, the Ministry of Transportation is committed to working with the Ministry of Education, school boards and transportation consortia to improve information-sharing in this regard.

CVOR abstracts for all commercial vehicle operators, including school bus operators, that summarize a carrier's performance over a 24-month period are available to members of the public (including school boards and consortia) on the Ministry's website. A more detailed abstract is available only to carriers and contains details of the carrier's safety performance, with a chronological record of all events entered onto the carrier's record during the past five years. The new Registration and Licensing System of Ontario will include revisions to the layout and format of CVOR abstracts to make them easier to read and understand, and make it easier to assess a carrier's safety performance record.

The Ministry of Transportation encourages school boards and transportation consortia to request copies of these abstracts as part of their transportation contracts.

4.1.3 Student Safety

Consortia Set Their Own Safety Policies for Students and Bus Drivers

All three transportation consortia we visited provide their bus operators with their policies regarding the safe transport of students. These policies varied at each consortium and included things such as picking up students on the right side of the road and not having bus stops on high-traffic roads.

With regard to student behaviour on the buses, the three consortia have policies in place that delegate the responsibility of dealing with behavioural

issues to the principals of the schools they serve. They see the time students spend on a school bus as an extension of the school day. Bus drivers are to inform the principal of behavioural issues requiring the principal's attention, and it is then up to the principal to determine the appropriate course of action. In addition, only two of the consortia have a policy document, "Responsibilities of the Students," which outlines expectations of appropriate behaviour on the bus and warns that the privilege of being bused to school may be lost if a student acts in an unsafe or inappropriate manner. Only one consortium requires its schools to obtain a sign-off on this policy by the students and parents.

Safety Information and Training for Students on School Buses Varies across the Province

Each consortium decides whether or not it will offer school bus safety programs to its students, which programs it will offer and what information, if any, it will provide. The Ministry of Education has not mandated any training or information to be provided. We noted variations at the three consortia we visited, both in the information and programs offered to students and whether the programs were mandatory or voluntary. Specifically:

- Each consortium provided its own materials to schools to distribute to students on general bus safety (such as getting on and off the bus and how to behave on the bus) as well as information for parents of new riders on how to prepare them to ride the bus.
- Two consortia offered general school bus safety training for elementary students every year, although only one made it mandatory. In the consortium where it was up to individual schools to decide whether or not to take advantage of the training, only 12% of the students had taken school bus safety training.
- All three consortia offered a voluntary orientation program for new riders every year. Two of the three did not track the number of students that had taken the orientation; in the third consortium, only 30% of new riders had taken the orientation.

- School bus evacuation training conducted by the operator was mandatory every year in all three consortia. However, only one consortium received any assurance from the operator, listing schools and dates, that the training had actually taken place. The other two could not confirm to us when this training had taken place.

We noted in the responses to our survey that training offered to students and its uptake also varied in the other 30 consortia. Only 15 of the remaining 30 consortia had made general school bus safety training mandatory, and only five had mandatory orientation for new riders. Approximately half of the consortia where these training programs were voluntary tracked the uptake of the training. Uptake for general school bus safety training averaged about 60%, and orientation for new riders averaged about 45%.

Protocol for Meeting Young Students at the Bus Stop Varies across the Province

School boards and consortia have adopted a safety protocol that requires a parent or a designated adult to meet younger children at the bus stop after school. These young students have an identifier, usually on their backpack, and are to wait on the bus until their parent or other adult is located. In the consortia we visited and from a survey undertaken by the Ontario Association of School Business Officials, we found that the grades of students who must be met at the stop varied across the province, from kindergarten to Grade 3.

RECOMMENDATION 8

To improve student transportation safety, the Ministry of Education, in conjunction with school boards and transportation consortia, should:

- develop consistent safety policies for the safe transport of students and for dealing with behavioural issues on the bus;
- identify or develop mandatory training programs and standard information packages

for students on school bus safety, and ensure that this training is delivered consistently to all students across the province; and

- determine which grades should be met at the bus stop by an adult, and develop a standardized process for this across the province.

MINISTRY OF EDUCATION RESPONSE

School boards are self-governing bodies and retain the right and responsibility to determine their own policies and procedures, including the development, approval and implementation of all transportation policies. The Ministry will, however, encourage and support the Ontario Association of School Business Officials Transportation subcommittee to address these issues at a provincial level.

4.1.4 Incidents and Collisions

The Ministry of Education (Ministry) funds student transportation through the school boards and summarizes the results of its annual student transportation survey from the information provided by the consortia. However, the Ministry takes a mostly hands-off approach when it comes to safety. For example, the Ministry has not set any guidelines on the reporting of collisions and incidents among the consortia to enable analysis of their causes, and to identify and compare best practices in order for this information to be used in developing strategies to prevent future collisions and incidents. The result is inconsistent tracking and analysis of collisions and incidents, and gaps in information by the consortia.

Consortia Need to Better Track and Analyze Collision Data

The three consortia we visited required their contracted bus operators to report to them on all collisions involving school vehicles. However, only two of the consortia tracked and analyzed this information to identify trends such as the cause of accidents or operators with a high number of accidents. Only one consortium used this information

to improve the safety of its contracted services, such as requiring contractors to provide specific training for drivers or making changes to existing routes.

Collision reporting also varied in the remaining 30 consortia. In our survey, we asked these consortia to provide us with the number of collisions involving school vehicles within their jurisdictions for the 2012/13 and 2013/14 school years and to specify those that resulted in a student fatality or injury, or in damage to property. Only 50% were able to provide us with more fulsome information for both school years.

Incidents Involving School Vehicles Are Not Tracked and Analyzed Consistently across the Province

The tracking of incidents is not consistent among the consortia. These include such occurrences as buses breaking down, not arriving at stops on time or dropping students off at the wrong stop, or student injuries on buses and student behaviour issues such as fighting (see **Appendix**).

We asked all 33 consortia for the number of such incidents involving school vehicles for the 2012/13 and 2013/14 school years. Three consortia were unable to provide us with statistics on any incidents, and a number of others were only able to provide us with statistics on late vehicles or mechanical breakdowns, stating that other incidents were not tracked. Only four of the 33 consortia that we either surveyed or visited were able to provide us with statistics on all the categories of incidents that we requested for both school years. **Figure 7** is a summary of the incidents that were recorded and reported to us for the 2012/13 and 2013/14 school years by the three consortia we visited and the 30 we surveyed that tracked such information.

RECOMMENDATION 9

The Ministry of Education should set formal guidelines on the reporting of school vehicle collisions and incidents among the transportation consortia to enable comparison and analysis of their causes and facilitate the identification of issues and best practices of consortia for the

Figure 7: Incidents on School Vehicles Broken Down by Type, 2012/13 and 2013/14

Source of data: Survey of transportation consortia conducted by the Office of the Auditor General

Type of Incident	2012/13		2013/14	
	Number Reported*	% of Consortia that Provided Incidents Data	Number Reported*	% of Consortia that Provided Incidents Data
Student dropped off at wrong stop	44	30	43	42
Student not met by parent or guardian	294	39	2,883	61
Student lost	19	36	29	45
Bus late	27,203	58	44,771	70
Mechanical breakdown	5,141	48	8,085	70
Fights/bad behaviour	965	33	1,214	52
Other (eg., student injuries, medical emergency, boarded wrong bus, bullying)	976	30	866	45
Total	34,642		57,891	

* The number reported is for only the consortia that provided incidents information to us. Appendix 1 identifies which consortia reported that they tracked incidents, and the types of incidents they tracked.

purpose of developing strategies to mitigate these in the future.

MINISTRY OF EDUCATION RESPONSE

The Ministry agrees to work with school boards and transportation consortia to develop standardized definitions, and expand the collection of school-vehicle collisions and incidents information through the annual student transportation survey.

4.2 Eligibility for Busing Varies Significantly across the Province

Each school board can make its own decisions about the transportation services it will provide and about which students are eligible for busing. This leads to significant differences in the level of transportation services provided and creates unequal access for students. Across the province, about 40% of students use school transportation. However, among school boards the percentage varies significantly, from 10% to 87%. While a significant portion of this disparity may be due to differences in geography, student population density and the availability of public transit, differing eligibility

Figure 8: Range in Distances Between Home and School Set by Ontario School Boards for Students to be Eligible for School Transportation, 2013/2014

Source of data: Ministry of Education, Student Transportation Survey for 2013/14

Grade	Distance (km)		
	Minimum	Maximum	Median
JK	0	1.6	0.8
SK	0	1.6	0.8
1	0.8	1.6	1.2
2	0.8	2.4	1.2
3	0.8	2.4	1.2
4	1.0	2.4	1.6
5	1.0	2.4	1.6
6	1.0	3.2	1.6
7	1.0	3.2	1.6
8	1.0	3.5	1.6
9-12	1.6	4.8	3.2

criteria for busing among boards also contribute to this variation.

Figure 8 shows that eligibility criteria, based on home-to-school walking distances, vary significantly by grade in school boards across the province. We noted that eligibility criteria for busing varied among consortia, among school boards in the same consortium and sometimes among schools

within the same school board. To illustrate, in the 2013/14 school year, 36% of consortia had school boards with different eligibility criteria, and 15% of school boards had schools with different eligibility criteria. In addition, we noted that three school boards in the province did not provide any bus transportation to their secondary students (Grades 9 to 12), except for students with special needs. Included in this group was one of the school boards we visited, which told us its policy was due to a lack of funding.

We were also informed by the boards we visited that public and Catholic boards serving the same area tend to compete for students in order to increase the per pupil funding they receive from the Ministry of Education, and busing is one of the means that the boards use to attract students.

We researched other jurisdictions in Canada and found that four provinces had standardized their eligibility criteria. Manitoba sets the walking distance for eligibility at 1.6 kilometres, Alberta and New Brunswick set it at 2.4 kilometres, and Nova Scotia sets it at 3.6 kilometres for students in all grades.

RECOMMENDATION 10

The Ministry of Education, in conjunction with school boards, should set standards on eligibility for transportation services, especially home-to-school walking distances for students, to promote greater consistency in transportation services across school boards within the province.

MINISTRY OF EDUCATION RESPONSE

The Ministry will explore the impacts of this recommendation on funding at a provincial level and take the recommendation into consideration accordingly.

4.3 Funding Formula Needs Updating

4.3.1 Funding for Transportation Services Is Not Based on Need

Funding for school transportation in each board is not based on need, such as how dispersed students and schools are, and the number of students with special needs. Instead, it is based on a historical amount—each board's 1997 spending level with some annual adjustments for enrolment and inflation, and other minor adjustments (such as for fuel costs and safety initiatives). Generally, a school board is informed of its funding and then sets priorities and makes decisions about transportation service to be provided accordingly. We noted the following concerns with respect to the province's current method of funding school transportation services:

- Transportation grants to school boards do not have to be spent on transportation. There are no minimum eligibility or service requirements designed to provide a basic or core level of service, and boards can determine which services they want to provide and spend their funding on. We found that school boards were spending close to, or even more than, the grant received on transportation services, but making choices that have resulted in significant differences in service levels across the province. For example, at one consortium we visited, we noted that a school board had recently decreased its walking distance for service eligibility for specific grades because it had excess funding. At another consortium, one school board began offering transportation services to its French Immersion students when it had a surplus of funds, while another board within the same consortium did not provide these services.
- There is a risk that the Ministry is funding deficits for transportation services resulting from some boards' overly generous eligibility policies. Since 2006, the Ministry has

contracted with a consulting firm to conduct effectiveness and efficiency reviews of school transportation services. Depending on a consortium's overall rating (high, moderate-high, moderate, moderate-low, low), the Ministry would fund all, part or none of the transportation services deficit of a board within the consortium. Specifically, if the overall rating for a consortium is "moderate" or above, the Ministry will cover 60–100% of any shortfall in funding. Below a "moderate" rating the Ministry will not cover any of the shortfall. At the time of our audit, 25 of the 33 consortia had a rating of "moderate" or above. Deficits totalling over \$40 million have been funded since the reviews were initiated. Without province-wide ministry guidelines on student eligibility, the deficit funded by the Ministry could be the result of a board's overly generous eligibility policies—which the review does not consider.

- Not all factors that significantly influence a school board's transportation costs are reflected in the Ministry's funding formula. Although some of the adjustments to the funding model over the years have been due to increases in enrolment, this is not the primary factor influencing a board's transportation costs or needs. We were informed by the consortia we visited that decreasing enrolment can actually increase transportation costs, because if a school closes, students must be transported farther to attend the next closest school. More important influences on transportation needs that are not taken into account in the Ministry's current funding formula are local factors such as enrolment density, geography, the availability of public transit, the number of students with special needs, and hazards such as busy streets or highways.
- Over the last 10 years, the Ministry of Education has provided targeted funding for specific initiatives such as safety programs and wage

enhancements for school bus drivers, but has not verified that the funds were spent for the intended purpose. The Ministry told us that it communicated its expectation to school boards on how these funds were to be used, but it does not have any reporting mechanisms with school boards to verify that the funds were actually spent as intended.

In 2004, the Ministry began testing a new funding formula based on need that would have resulted in some boards receiving less and others more. However, due to significant pushback, especially from the boards that expected to get less, the Ministry abandoned the new funding model and continued with the status quo.

4.3.2 Savings from Forming Consortia Have Not Been Measured

School boards formed consortia to deliver transportation services as part of the reforms the Ministry introduced in the 2006/07 school year. Although these reforms were aimed at achieving cost efficiencies and savings, the Ministry did not set any benchmarks with regard to the efficiencies or savings school boards should achieve. It has not undertaken an analysis since the consortia began operating. Only one of the three consortia we visited had tracked whether there was a change in the number of buses its boards use; and in this case there was a decrease. None of the consortia we visited had information on its boards' transportation costs before the consortium's formation to determine whether any savings were achieved. However, from 2006/07 to 2013/14, both the funding provided and school board expenditures on transportation have increased by about 4% after being adjusted for inflation, while the number of students transported has remained stable.

RECOMMENDATION 11

After implementing standardized eligibility criteria, we recommend that the Ministry of Education (Ministry) should:

- revisit its current funding formula. The formula needs to reflect school boards' local transportation needs based on the number of eligible riders and consortia utilization of buses, and taking into consideration factors such as geography, availability of public transit and the number of students needing transportation services (due to distance, special needs, special programs or road hazards); and
- implement an updated funding formula ensuring that any targeted funding for specific initiatives is spent for the purposes intended.

MINISTRY OF EDUCATION RESPONSE

The Ministry will continue to examine the current funding formula in relation to the changing local transportation needs of school boards. The Ministry has been implementing student transportation reforms (for example, creation of consortia, and effectiveness and efficiency reviews) to increase the efficiency and effectiveness of transportation service delivery. Through the effectiveness and efficiency reviews, appropriate adjustments have been made to transportation funding.

4.4 Opportunities Exist for Efficiency Gains

Based on the results of the Ministry of Education's 2013/14 student transportation survey, the average cost to transport a student without special needs was \$740, with a range between boards of \$365 to \$1,680. The average cost to transport a special needs student was \$4,650, with a range between boards of \$1,045 to \$11,205. A significant portion of this disparity could be due to differences in geography, student population density and other local factors or differences in eligibility criteria. However, the Ministry has not followed up with the boards to determine if such significant variances

in costs per student are due to these reasons or to inefficiencies in providing transportation services.

There are several initiatives that consortia could undertake to further maximize the occupancy on vehicle runs in order to reduce costs. These include collecting and using accurate student information and information on actual ridership to plan services; fully utilizing route planning software; staggering bell times; sharing routes between boards; and instituting common days off between boards. Our audit noted that these initiatives have been implemented to varying degrees in the consortia that we visited, but more opportunities may exist. The following subsections discuss this in greater detail.

4.4.1 The Right Information Is Not Always Used in Planning Student Transportation Services

Consortia usually determine the number of buses needed using the number of students who are eligible for transportation rather than the actual number of students riding the buses. Many students may be eligible for busing but for one reason or another may not be using the service on a regular basis. For example, at one consortium where the drivers performed a head count of riders for three consecutive days, only about 70% of the students that it had planned would use school transportation were actually using the service. Often, parents of eligible students do not inform the consortia that they do not need school transportation, either because they do not know they should notify the consortia or because they want to keep a place open in case they need it periodically.

Two of the three consortia we visited did not have good procedures to identify the actual number of eligible students who were riding the buses. However, the third consortium undertook a rigorous process over the summer months to identify which eligible students required transportation services. This consortium used radio ads, pamphlets and robocalls to inform parents that they needed to notify the consortium by late summer whether they

planned to use school bus services. In cases where the parents failed to contact the consortium and the consortium was unable to contact the parents, the child would be removed from the bus service for the first two weeks of school, and then indefinitely. This consortium was able to confirm with the majority of its eligible students whether or not they needed the service, and it planned the busing accordingly. It also required students to use the bus a minimum two days per week. We found that about 90% of the students whom this consortium had made arrangements to transport were actually using the service.

Also, all three consortia we visited were to varying degrees not utilizing the most up-to-date information on students (such as students changing addresses, changing schools or leaving the board) when arranging busing services. For example, when one consortium compared its information on students twice during the year to information the boards had, it found that about 400 students for whom it had arranged busing in the 2014/15 school year did not need the service because they had moved, changed schools or left the board completely.

4.4.2 Route Planning Software Is Not Consistently Used by Consortia

According to the survey we conducted, 40% of the consortia were not using the route optimization function in the route planning software. The route optimization function can serve as a useful starting point in mapping the most efficient routes, even though the suggested routes may have to be manually adjusted based on knowledge of the local area (for example, construction or traffic volume).

At the consortia we visited, we found that the route optimization function in the software was not being used for special needs students. One of the three consortia we visited used the function annually to assist in optimizing all of its routes for non-special needs students, and one used it for only some routes. The third consortium did not use the function for route planning purposes, but used it

every four years to determine cost sharing between boards. For the most part, this consortium carried forward its routes from year to year until it became aware of problems (such as overcrowding on buses and unneeded stops) from either the driver or the school.

4.4.3 More Sharing of Buses Is Required

Boards within some consortia are sharing buses but improvement is needed. In our 2000 audit of pupil transportation grants we recommended that school boards serving the same area integrate their transportation services. We noted that, although buses are being shared to a certain extent, students from different boards seldom ride together on the same bus. Based on the ministry survey results for 2013/14, 36% of consortia reported that their boards were sharing buses for at least half of the routes. However, only 18% of consortia indicated that students from different boards rode together on the bus for at least half the trips the buses made.

We also noted that the French boards operating in the same area were not part of two of the three consortia we visited. The third consortium served all the boards in its area. A recent study commissioned by the Ministry indicated that \$1.7 million could be saved annually by having a French board join an existing consortium.

4.4.4 School Start and End Times Are Not Always Staggered

School start and end times are not always staggered to let buses make more than one trip in both mornings and afternoons. By staggering school start and end times, consortia can reduce the number of buses needed. One consortium we visited increased the efficiency of its service by deciding the start times for schools in its area, while another regularly suggested start and end times that were normally accepted by the schools. However, in the area served by the third consortium, the school boards decided their start and end times; nearly 70% of

the schools' start times and almost 60% of the end times were bunched within 30 minutes, significantly limiting the consortium's ability to have the same buses make multiple trips.

4.4.5 School Boards Are Not Fully Co-ordinating Common Days Off

A fairly simple way to reduce the need for school transportation is for boards within a consortium to co-ordinate professional activity days and school holidays, and to also have common school year start and end dates. In response to our survey, 40% of the consortia indicated that boards within their area had common days off at the elementary and secondary school level. Similarly, the school boards within two of the consortia we visited were not co-ordinating all their days off for elementary schools and secondary schools, while the third consortium had fully co-ordinated days off. For the consortia where the days off were not coordinated, one consortium estimated savings of \$525,000 for three days that were not co-ordinated between its school boards, while the other could not estimate the savings. We estimated the savings could be up to \$370,000 per day, which represents the consortia's daily operating costs for student transportation.

4.4.6 Bus Utilization Rates Are Not Being Captured

Both the seating capacity and the utilization rate (number of students riding as a percentage of seating capacity) of buses are determined differently by consortia, as there is no provincial standard for either one. Although the Ministry does not collect information on the utilization rates of buses across the province, we requested this information as part of our survey and noted that the rates reported by consortia ranged from 50% to 230%.

These statistics are not reliable, primarily for three reasons. First, as noted earlier, consortia generally did not have very good information on the actual number of students riding their buses.

Second, seating capacity depends on the age and size of students who will be on the bus. Because each consortium sets its own capacity, we noted variations at the consortia visited (for example, one consortium assigned a maximum of 46 secondary students to a large bus while another assigned 55). And third, consortia used different methods to calculate the utilization rate, comparing either the average number of students transported for each trip or the total number of students transported for all trips to the seating capacity.

The lack of any provincial guidelines or reporting of bus utilization rates makes it difficult to compare consortia across the province, in order to see where improvements are needed and to link utilization to the funding for student transportation.

4.4.7 Consortia Are Contracting for More School Bus Service Than Actually Needed

The consortia we visited negotiated different payment structures in their bus contracts. One consortium's payment structure was based on the amount of time buses were used; the other two based theirs on a combination of time and kilometres travelled.

We reviewed the actual use of the buses at the three consortia and found that although one had negotiated a base rate strictly based on time (three hours a day), all of its large buses, which comprised about a quarter of the consortium's fleet, were being used for less than the contracted hours. In fact, it used about two-thirds of its larger buses for two hours or less each day. Similarly, another consortium was contracting buses based on time and distance travelled, and one-third of its buses were significantly underutilized based on the contracted hours. If these consortia contracted fewer buses and used them on additional runs they could save money.

RECOMMENDATION 12

In order to increase the efficiency of school transportation services and in turn decrease costs, transportation consortia should:

- track and monitor utilization by using the most relevant and accurate information available in planning student transportation services, including actual ridership;
- evaluate the benefits of parents of students who are eligible to use school board–provided transportation services being required to opt in or out of using transportation services;
- use route optimization software where feasible as a starting point in mapping the most efficient routes to transport students;
- increase sharing of school buses among boards and transporting students from different boards on the same bus;
- stagger school start and end times where possible to reduce the number of buses needed, by allowing them to be used on more than one run;
- reduce the need for transportation services by co-ordinating common days off; and
- only contract for services that are required.

TRANSPORTATION CONSORTIA RESPONSE

All three consortia were in agreement with this recommendation. The consortia stated that successful implementation would best be achieved through the Ontario Association of School Business Officials Transportation subcommittee. This would allow for input and discussion by all consortia to identify best practices in delivering transportation services more efficiently (such as, increased sharing of school buses between boards and students from different boards, co-ordinating common days off, utilizing route optimization software more fully, staggering school start and end times, contracting only for services needed based on actual ridership) and enable the development of uniform processes and practices across the province.

RECOMMENDATION 13

The Ministry of Education should set standards for the optimal utilization of school vehicles for school boards and transportation consortia, and provide guidance to them in calculating utilization rates.

MINISTRY OF EDUCATION RESPONSE

The Ministry will encourage and support the Ontario Association of School Business Officials Transportation subcommittee to address this issue at a provincial level, taking into consideration that the utilization of school vehicles and determination of an acceptable range of utilization rates must recognize the diversity of school boards across the province.

4.4.8 Better Co-ordination and Integration of Student Transportation Services Needed

From our audit work, we noted that the ability of a consortium to efficiently and effectively manage transportation services depends on the level of authority delegated to it by the school boards it serves, and the willingness of school boards to work co-operatively and integrate services and policies to serve the common interests of all the boards in the consortium (such as harmonizing eligibility criteria, sharing bus routes and having common days off)—as opposed to the particular interests of the individual boards. Specifically, consortia with the authority to establish eligibility criteria and employ efficiency measures uniformly across their entire service area were more likely to employ best practices to their fullest potential.

The Ministry of Education has also recognized this, and in its effectiveness and efficiency reviews provides higher ratings to a consortium that has, for example, a well-defined governance and organizational structure with clear roles and responsibilities, and an oversight committee that focuses only on high-level decisions. This structure helps ensure that a consortium's mandate remains consistent

despite changes in board members and trustees. The Ministry does not specify a governance and organizational structure. However, the consortia that receive high ratings in their effectiveness and efficiency reviews are normally incorporated as separate legal entities (although three unincorporated consortia have also received a high overall rating).

Two of the consortia we visited each operated as a cohesive unit that made decisions for the good of the consortium and all the boards it serves, while the third consortium generally operated in a manner that looked at the best interests of each board individually. A 2011 effectiveness and efficiency review commissioned by the Ministry stated that the member boards of this third consortium continued to maintain involvement in student transportation services to the extent that each board still set its own transportation policies and managed parents' and principals' requests for exceptions to policies. We noted that these practices still existed at the time of our audit. Furthermore, eligibility criteria were not harmonized between the boards it served and many inefficient practices previously noted in this section were present to a greater degree. The review went on to note that for the governance committee to play a meaningful role in the oversight of the consortium, it needed to have an appropriate delegation of authority from member boards, and that the boards and consortium should further define their roles and delegated authority.

RECOMMENDATION 14

The Ministry of Education should clarify the roles and responsibilities of school boards and consortia in setting eligibility and employing efficiency measures.

MINISTRY OF EDUCATION RESPONSE

The Ministry has actively reinforced and encouraged best business practices since 2006 through the effectiveness and efficiency reviews. School boards are self-governing bodies and are responsible for making their own decisions.

4.5 Procurement of Student Transportation Services Needs Improvement

4.5.1 Only Half of Consortia Acquired Student Transportation Services through a Competitive Procurement Process

The *Broader Public Sector (BPS) Accountability Act, 2010* and its related directive require all broader public sector organizations receiving \$10 million or more in government funding to use competitive procurement for contracts greater than \$100,000. Given the level of funding they receive for student transportation, all school boards are subject to this requirement. The effectiveness and efficiency reviews commissioned by the Ministry of Education also previously identified the need for all school boards to transition to a competitive procurement process for transportation services.

In April 2011 the government issued the BPS procurement directive, which required broader public sector entities to acquire publicly funded goods and services through a competitive process that is fair, open and transparent. At the time the directive was issued, about 30% of consortia were competitively procuring their school bus transportation services, while about 70% were acquiring these services by negotiating prices with their existing bus operators. Many of the operators that were negotiating prices were strongly opposed to participating in a competitive procurement process, and in response the government gave school boards a six-month voluntary exemption (until December 31, 2011) from competitive procurement for transportation services. At the same time, the Ministry of Education launched a task force (composed of representatives from the Ministry, school boards, transportation consortia and bus associations, as well as a procurement adviser) whose mandate was to review processes used to procure student transportation, paying specific attention to their openness, fairness, accountability and value for money. The task force did not deliver on its mandate, and in March 2012 the Ministry instructed all school

boards to move forward with competitive procurement. Several operators, concerned with the impact that competitive procurement would have on their business, decided to take the school boards and the Ministry to court. At the time of our audit, these court challenges were still pending. By 2013/14 only about 50% of the transportation consortia in the province had competitively procured the transportation services they were using at that time.

In October 2014, the Education Minister announced an independent review to explore options other than requests for proposals (RFPs) for competitive procurement of student transportation services that would still be in compliance with the BPS procurement directive. At the time of our audit, the review had been completed but a report had not yet been finalized and issued.

4.5.2 Evaluation of Contractors Is Not Consistent among Consortia

Two of the three consortia we visited followed a competitive procurement process in 2009 and 2013, respectively, for acquiring current student transportation services from school bus operators. The third consortium last selected its operators competitively in 2006, and since August 2014 has been granting them one-year extensions while awaiting the outcome of the cases before the courts.

We reviewed the latest RFP issued by each of the three consortia to acquire transportation services, and noted that two of the three consortia weighted qualitative criteria (several of which pertain to safety) at 65% and criteria related to price at 35%. One of these two consortia required a minimum score on quality to move on to the pricing stage. This weighting of quality against price is in line with information we received from the Ministry of Government and Consumer Services, Supply Chain Ontario, which informed us that the split between quality and price scoring for the acquisition of services is generally about 60%–70% for the quality component and 30%–40% for pricing.

The third consortium reviewed qualitative factors, but based the selection of its bus operators on price alone, allowing all bidders who submitted complete proposals to progress to the price comparison stage irrespective of their qualitative scores. We noted that two bidders with the lowest qualitative scores, who were providing services to the consortium at the time of the competition, were awarded new contracts even though two other bidders had considerably higher qualitative scores.

The qualitative criteria used to evaluate proposals differed in all three RFPs. For example, in the area of student safety programs, one consortium allocated points for having general safety programs in place; another allocated points for having evacuation training programs; while the third did not allocate any points for student safety. We grouped like criteria based on the key factors for transporting students safely and identified the weightings assigned by each of the consortia, as shown in **Figure 9**. We would have expected all three consortia to allocate high marks to the criteria related to safety—such as driver training, the operators' CVOR and accident history, fleet maintenance and management, and student safety programs offered. However, the weighting of these criteria varied significantly among the three consortia that we visited, ranging from a high of 65% to a low of 26% of the total qualitative score.

In December 2008, the Ministry of Education released a resource package including procurement guidelines, an RFP template for the procurement of bus operators and a contract template, but made its use by the boards optional. The RFP template suggested criteria for evaluating the operators on the quality of their services. Many of these qualitative criteria spoke to safety, and the template also included suggested weightings for the criteria. However, the template did not indicate what portion of the score should be assigned to quality as opposed to price, nor did it recommend a minimum score for qualitative criteria that successful competitors had to attain.

Figure 9: Weighting of the Qualitative Criteria (Safety and Other) Used to Evaluate School Bus Operator Proposals

Source of data: Consortium Request-for-proposals submissions

	% Assigned for Qualitative Criteria		
	Consortium 1	Consortium 2	Consortium 3
Driver education, safety and retention	5	25	20
Accident and CVOR history	5	15	5
Fleet maintenance and management	11	10	30
Student safety programs	5	0	10
Subtotal 1—Safety	26	50	65
Administration	21	45	30
Other	53	5	5
Subtotal 2—Other	74	50	35
Total	100	100	100

RECOMMENDATION 15

The Ministry of Education, in conjunction with the school boards and transportation consortia, should develop standard criteria for evaluating the submissions of school bus operators in procuring student transportation services. The criteria should appropriately consider the operators' ability to safely transport students.

MINISTRY OF EDUCATION RESPONSE

Student safety is our priority. The Ministry agrees to support school boards and consortia in reviewing this recommendation.

Appendix—Types of Incidents Tracked by Transportation Consortia, 2012/13 and 2013/14

Source of data: Survey of transportation consortia conducted by the Office of the Auditor General except where otherwise indicated

Consortium	Student Dropped Off at Wrong Stop		Student Not Met by Parent		Student Lost		Bus Late		Mechanical Breakdown		Fights/Bad Behaviour		Other (e.g., Student Injuries, Med. Emergency, Boarded Wrong Bus, Bullying)	
	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14
1 Algoma & Huron-Superior Transportation Services									✓					
2 Chatham-Kent Lambton Administrative School Services											✓	✓	✓	✓
3 Consortium de transport scolaire de l'Est														
4 Consortium de transport scolaire d'Ottawa					✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
5 Durham Student Transportation Services		✓		✓		✓		✓		✓		✓		
6 East of Thunder Bay Transportation Consortium		✓		✓		✓		✓		✓		✓		
7 Halton Student Transportation Services	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
8 Hamilton-Wentworth Student Transportation Services		✓		✓								✓		✓
9 Huron-Perth Student Transportation Services	✓	✓			✓	✓								✓
10 Niagara Student Transportation Services	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
11 Nipissing-Parry Sound Student Transportation Services	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
12 North East Tri-Board Student Transportation														
13 Northwestern Ontario Student Services Consortium	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
14 Ottawa Student Transportation Authority														
15 Rainy River District Transportation Services	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
16 Renfrew County Joint Transportation Consortium			✓	✓										

Consortium	Student Dropped Off at Wrong Stop		Student Not Met by Parent		Student Lost		Bus Late		Mechanical Breakdown		Fights/Bad Behaviour		Other (e.g., Student Injuries, Med. Emergency, Boarded Wrong Bus, Bullying)	
	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14	2012/13	2013/14
17 Service de transport Francobus							✓	✓	✓	✓				
18 Simcoe County Student Transportation Consortium			✓	✓	✓	✓	✓	✓					✓	✓
19 Southwestern Ontario Student Transportation Services			✓	✓										
20 Student Transportation of Eastern Ontario			✓	✓					✓	✓	✓	✓	✓	✓
21 Student Transportation of Peel Region*							✓	✓	✓	✓				
22 Student Transportation Service Consortium of Grey Bruce								✓	✓	✓	✓	✓	✓	✓
23 Student Transportation Services of Brant Haldimand Norfolk							✓	✓						
24 Student Transportation Services of Central Ontario	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
25 Student Transportation Services of Thunder Bay	✓	✓	✓	✓			✓	✓	✓	✓				
26 Student Transportation Services of Waterloo Region Inc.		✓	✓	✓				✓	✓	✓	✓	✓	✓	✓
27 Student Transportation Services of York Region	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓				
28 Sudbury Student Services Consortium*			✓	✓	✓	✓	✓	✓	✓	✓			✓	✓
29 Toronto Transportation Group*				✓	✓	✓	✓	✓	✓	✓				
30 Tri-Board Student Transportation Services							✓	✓	✓	✓				
31 Trillium Lakelands District School Board							✓	✓	✓	✓	✓	✓	✓	✓
32 Wellington-Dufferin Student Transportation Services			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
33 Windsor-Essex Student Transportation Services	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓
Total # of consortia reporting they tracked the incident type	10	14	13	20	12	15	19	23	16	23	11	17	10	15
% of total consortia	30	42	39	61	36	45	58	70	48	70	33	52	30	45

* Data obtained from visits to the consortium.

Chapter 1

Section
1.13

Ministry of Education

Student Transportation

Follow-Up on VFM Section 3.13, 2015 Annual Report

RECOMMENDATION STATUS OVERVIEW					
	# of Actions Recommended	Status of Actions Recommended			
		Fully Implemented	In Process of Being Implemented	Little or No Progress	Will Not Be Implemented
Recommendation 1	2	1	1		
Recommendation 2	1		1		
Recommendation 3	3		1	2	
Recommendation 4	1				1
Recommendation 5	4	1	2	1	
Recommendation 6	2			2	
Recommendation 7	1	1			
Recommendation 8	3		1	1	1
Recommendation 9	1	1			
Recommendation 10	1			1	
Recommendation 11	2			2	
Recommendation 12	7	3	1	3	
Recommendation 13	1				1
Recommendation 14	1				1
Recommendation 15	1				1
Total	31	7	7	12	5
%	100	23	23	38	16

Overall Conclusion

According to the information the Ministry of Education, Ministry of Transportation and school board transportation consortia provided to us, as of August 8, 2017, 45% of actions we recommended in our 2015 Annual Report had either been fully implemented or were in the process of being implemented. Little progress was made on implementing

39% of our recommendations, and 16% would not be implemented.

For recommendations directed at the Ministry of Education, 20% were either fully implemented or in the process of being implemented, 40% had little or no action and 40% would not be implemented. Specifically, the Ministry informed us that it will not be implementing recommendations requiring it, in connection with school boards and transportation consortia, to develop consistent safety policies

for the transport of students, set standards for optimal utilization of school vehicles, clarify the roles of each body in setting eligibility and employing efficiency measures, and develop standard criteria for selecting school bus operators. According to the Ministry, its role is to provide transportation funding to school boards, and the role of school boards is to decide whether to provide those services and to set policies to guide the provision of those services. It further added that the Ministry has no legal mandate to impose specific transportation policies on school boards.

We obtained a legal opinion on this matter and were advised that school boards are subject to the legal authority of the Ministry of Education. The Minister of Education has specific power to legislate and regulate the transportation of students, and, therefore, has the legal authority to require school boards to implement our recommendations.

For recommendations directed at the Ministry of Transportation, 50% were either fully implemented or in the process of being implemented, 42% had little or no action and another 8% would not be implemented. More action was required to ensure information in the Commercial Vehicle Operator's Registration system provides safety information on local terminals of school bus operators, and a strategy is devised to conduct risk-based reviews of motor vehicle inspection stations.

For recommendations directed at transportation consortia, 67% were either fully implemented or in the process of being implemented, and 33% had little or no action. More action was needed by some consortia to increase efficiency and, in turn, decrease costs of transportation services.

The status of action taken on each of our recommendations is included in this report.

Background

In the 2015/16 school year, about 830,000 Ontario students were transported daily to and

from publicly funded schools on approximately 19,000 school vehicles. More than 70% of the children transported were in kindergarten or elementary school (similar to 2013/14).

The *Education Act* does not explicitly require school boards to provide transportation services, but every board provides some level of transportation services to students. Transportation grants for the 2016/17 school year were estimated to be \$897 million (\$880 million in the 2014/15 school year). Almost all student transportation in Ontario is provided through contracts with school bus operators.

Five parties are involved in student transportation:

1. The Ministry of Education provides funding to the 72 school boards and conducts an annual survey of the boards. The Ministry gives the boards authority for overall decisions, including policies and eligibility criteria.
2. Thirty-three transportation consortia formed by the school boards plan transportation services and contract with school bus operators, manage their contracts and monitor performance.
3. School boards oversee the consortia and provide them with key information about their schools and students. The boards determine which groups of students they transport and spend their funding on (based largely on the distance between home and school).
4. School bus operators are contracted by consortia to transport students. They are required to ensure their vehicles and drivers meet legislated safety requirements, and to comply with contract provisions such as safety training for drivers and students, and background checks for drivers.
5. The Ministry of Transportation enforces federal and provincial laws and regulations for the design and mechanical condition of vehicles, licensing of drivers and safe operation of vehicles.

In our *2015 Annual Report*, we noted that school vehicles were generally considered a safe mode of

transportation based on the number of collisions in relation to the number of passengers transported and kilometres travelled. The Ministry of Transportation had reported that from the 2008/09 to the 2012/13 school year, school vehicles had been involved in 5,600 collisions that had resulted in property damage, personal injuries and fatalities.

Overall, in Ontario, the risk of personal injury from collisions involving school vehicles was lower than for other types of vehicles, and the risk of fatalities was similar to that for all other types of vehicles. However, in 2013, the latest year for which information was available at the time of our audit, Ontario's school vehicles were involved in more collisions proportionately than automobiles and trucks, but fewer than other types of buses, based on total number of vehicles by type. Police determined that the school bus driver was at fault in 40% of cases.

Nevertheless, the potential of risk to students being transported made it important that the Ministry of Education, school boards and transportation consortia, and the Ministry of Transportation continue to consider and minimize risk factors in three key areas that impact the safe transport of students: bus driver competence, vehicle condition and student behaviour.

Based on our 2015 audit, we concluded that better oversight of bus operators and their drivers, better processes for ensuring the safe operation of school vehicles, better training for students in bus safety, and better tracking and analysis of collisions and incidents may even further reduce risks to students.

Specific observations regarding the safe transport of students included the following:

- Better oversight and monitoring were needed by the consortia to ensure school bus driver competence.
- The Ministry of Education had not set guidelines for the reporting of school vehicle collisions and incidents. Only limited information was being tracked by consortia on incidents impacting students, such as late buses and

mechanical breakdowns of vehicles, that could be used to identify the causes and develop strategies to prevent them. With the limited information available to us during our audit, we noted a 67% increase in such incidents between 2012/13 and 2013/14, from almost 35,000 incidents to nearly 58,000 incidents.

- Improvements were needed by consortia and the Ministry of Transportation in ensuring school vehicles were in good condition. For example, inspections conducted by the Ministry of Transportation did not target those vehicles most at risk for safety violations, were not always done on time, and did not always ensure that defects were fixed.
- There was little oversight of school bus operators, who are allowed to certify their own buses for mechanical fitness.
- The Ministry of Education had not mandated bus safety training for students. Only 16 of the 33 consortia had mandatory general school bus safety training.

Ontario had no provincial standard for busing. We found that busing was not available on an equal basis to students across the province or even in schools within the same board. We also saw differences in how consortia operated and managed busing services. The ability of a consortium to efficiently and effectively manage transportation services was impacted by the level of authority delegated by the school boards it serves and the willingness of school boards to work co-operatively and integrate services.

Our specific observations in the area of efficient transportation of students, the level of service provided, funding and procurement practices, included the following:

- Funding for school transportation was not based on need, but instead on each board's 1997 spending level, with annual adjustments. The Ministry of Education's funding formula did not take into account local factors that significantly influence transportation costs.

- The Ministry of Education had not determined if the wide variances among boards in the cost of transporting students were justified.
- Reliable bus utilization data was not available. Consortia we visited did not typically track the number of riders. As well, each set its own capacity for a bus and used different methods to calculate the utilization rate.
- Consortia were contracting for more bus services than they need.

In total, we made 15 recommendations, consisting of 31 actions, and received commitments from the ministries and transportation consortia that they would take action to address them.

Status of Actions Taken on Recommendations

We conducted assurance work between April 1, 2017, and August 8, 2017, and obtained written representation from the Ministry of Education, the Ministry of Transportation and three school board transportation consortia—Toronto Student Transportation Group (Toronto), Sudbury Student Services Consortium (Sudbury) and Student Transportation of Peel Region (Peel)—on September 8, 2017, that they have provided us with a complete update of the status of the recommendations we made in the original audit two years ago.

Oversight Processes for Safety Can Be Improved

Recommendation 1

The transportation consortia in conjunction with school boards should:

- *develop and conduct consistent and effective oversight processes for school bus operators to confirm their compliance with contract and legal requirements for driver competence and vehicle condition;*

Status: Toronto consortium: Fully implemented.

Peel consortium: Fully implemented.

Sudbury consortium: Fully implemented.

Details

Toronto: Operational reviews were being conducted at the time of our 2015 audit. The consortium expanded its operator audit form in April 2017 to include additional review items in the areas of operations, safety and planning in order to satisfy the legal and contractual requirements. Consistent forms are used for the operational review (checklist consisting of operational, safety and planning criteria), bus audit (a sample of buses to check for required documentation, log book and safety equipment), and driver file review (a sample of drivers for required training). A follow-up review is done a month later for any outstanding audit items.

Peel: The consortium has developed a checklist system to be used in its operators' audits to ensure a consistent approach to measure each operator's performance and compliance. One of the checklists that is now required is the Random Vehicle File Check List, which consists of selecting vehicles at random and reviewing their annual and semi-annual inspection certificates for the past two years to confirm that they have passed Ministry of Transportation inspections. If not, the operator will be required to produce a copy of the vehicle's inspection and log book to confirm that it was not used during any of the non-compliant periods identified. This new process came into effect May 2017.

Sudbury: The consortium has revamped its Operator Audit Policy as of November 2016 to include compliance with contract and legal requirements for driver competence and vehicle condition. The consortium has created an annual contract compliance audit checklist, which evaluates the compliance of each contract requirement.

- *track the rate of bus driver turnover, along with accidents and incidents such as dropping students at the wrong stop, to help determine*

if there is a link between driver turnover and safety risks, and if action is needed.

Status: Toronto consortium: In the process of being implemented by August 2017.

Peel consortium: In the process of being implemented by June 2018.

Sudbury consortium: In the process of being implemented by July 2018.

Details

Toronto: In September 2016, the consortium expanded the key performance indicators that its school bus operators report to include driver turnover, number of collisions and number of incidents. The consortium expected to start analyzing this information by August 2017 to determine if there is a link between driver turnover and safety risks.

Peel: Starting in November 2016, the consortium updated its accident reporting data to include the driver's name and years of experience. Additionally, it tracks the number of resignations on a weekly basis, along with the number and nature of accidents and incidents in the weekly report submitted by school bus operators. Incidents where students are dropped off at the wrong stop are not tracked in the weekly report, but instead are tracked manually and followed up on with the bus operator. Analysis of this data had not yet begun at the time of our follow-up. The consortium expects to start analyzing the data by June 2018, as it moves toward online reporting.

Sudbury: The consortium started to track the rate of bus driver turnover, as well as collisions relating to bus drivers' years of experience, in the 2016/17 school year. It also started to track incidents in relation to bus driver experience in March 2017. The consortium expects to have this data analyzed and summarized by the end of the 2017/18 school year.

Recommendation 2

To help promote good practices and safe driving by drivers of school vehicles, the Ministry of

Transportation should monitor the delivery of the School Bus Driver Improvement Program and review its effectiveness.

Status: In the process of being implemented by July 2019.

Details

During our audit, we found that the Ministry of Transportation had not ensured that school bus operators or third parties had developed and delivered the School Bus Driver Improvement Program in conformity with the standards set by the Ministry. Nor had the Ministry reviewed the effectiveness of the program to determine whether it had made an impact on safety in the industry.

At the time of our follow-up, the Ministry had developed a plan to monitor the School Bus Driver Improvement Program. The monitoring is expected to consist of an initial attestation by course providers, followed by the submission of third-party audit reports to the Ministry on an ongoing, cyclical basis. The implementation date for this new process was July 1, 2017, and the first audit reports are due to the Ministry in July 2019.

Recommendation 3

In order for the Commercial Vehicle Operators' Registration program (CVOR) to effectively track the on-road performance of school buses and trigger ministry intervention when school bus operators' ratings reach unacceptable levels, the Ministry of Transportation should:

- *ensure that safety infractions are updated in the CVOR in a timely manner and that these are reflected in the operator's safety rating for the full 24 months from the time the infraction is input into the system;*

Status: Little or no progress.

Details

During our audit, we found that the safety ratings for school bus operators were not always up to date. Half of the safety violation convictions took at least 83 days to appear in the safety rating, and half

of the collisions took at least 105 days to appear. Moreover, violations that were challenged in court were not reflected in the operator's rating unless the operator was convicted.

According to the Ministry, the CVOR system monitors the on-road safety performance of registered carriers by tracking collisions, convictions and inspections over a 24-month period, as established by national agreement. This common system exists to ensure reciprocity among Canadian jurisdictions in the rating and treatment of carriers, as well as to ensure a consistent regulatory framework for the country.

The Ministry informed us that, since our audit, it has raised our concerns regarding having safety infractions appear on the safety rating for a full 24 months with federal and provincial partners, and would continue to raise these concerns at the national level.

- *ensure that information in the CVOR is easy to interpret and provides safety information on local terminals of school bus operators;*

Status: Little or no progress.

Details

During our audit, we reported that CVOR safety ratings were of limited use to transportation consortia in helping them assess the safety records of locally contracted school bus operators. This was because the ratings consolidated safety information for all of an operator's locations and for all of its commercial vehicles of every type, including vehicles not used for transporting students.

In March 2016, the Ministry implemented a new registration and licensing system for monitoring carriers in the CVOR program. Although the new computer system included revisions to the format for presenting information relating to driver safety, it continues to present consolidated safety information by operator, instead of by location and types of commercial vehicles operated. At the time of our follow-up, the Ministry had no plans to present safety information by school bus terminal and

stated that its Bus Inspection Tracking System provides more detailed safety information on school bus terminals than the CVOR. However, in our opinion, it does not provide the same level of safety information as the CVOR, as it does not include drivers' traffic violations, collisions and audits at the operator's place of business.

- *consider ways to verify the accuracy of self-reported information on the number of vehicles in the operators' fleets and the number of kilometres driven.*

Status: In the process of being implemented by September 2017.

Details

During our audit, we noted that operators self-report the distances their buses are driven; hence, there was a risk they could manipulate the numbers to obtain a more favourable safety rating.

The Ministry informed us that the new registration and licensing system contains built-in mechanisms that prompt the operator to validate the information when self-reported fleet information and travel distances are outside of expected ranges. The Ministry also informed us that it is in the process of implementing by September 2017 an online channel that allows updates to fleet and distance information for carriers.

Recommendation 4

To help increase the safety of school transportation, the Ministry of Transportation should consider changing the threshold that triggers a facility audit for school bus operators.

Status: Will not be implemented.

Details

In our 2015 report, we reported that the Ministry of Transportation was not auditing or inspecting all school bus operators' facilities on a regular basis. To illustrate, during a five-year period, the Ministry had conducted only 24 facility audits on 19 school bus operators. Few school bus operators reached the threshold that triggered an audit.

At the time of our audit, the Ministry said it would do further analyses and establish an intervention protocol specific to school bus operators based on the operator's safety performance.

During our follow-up, the Ministry informed us that it will not be implementing this recommendation because, based on a 2007 Transport Canada fact sheet, school bus travel is one of the safest methods of travel for children and youth. In addition, the Ministry says that the new registration and licensing system lets it monitor effectively all carriers, including school bus operators, for trend and behavioural changes through its CVOR program. For example, new triggers have been added that will cause a carrier to be reviewed for significant on-road events such as vehicle impoundments and convictions. We believe, however, that this action by the Ministry will likely not increase the number of school bus operators' facilities audited, and we continue to support the implementation of this recommendation to further increase the safety of school transportation.

Recommendation 5

To increase the effectiveness of its safety inspections of school buses at operators' terminals, the Ministry of Transportation (MTO) should:

- *update and maintain its Bus Inspection Tracking System with complete and accurate information on the location of operators' terminals and school vehicles at each terminal;*

Status: In the process of being implemented by December 2018.

Details

In our 2015 audit, we found that the Ministry's Bus Inspection Tracking System contained inaccurate information on the location of operator terminals for nearly 50% of the operators we sampled. As well, we found that the number of vehicles recorded in the Ministry's system was less than the number of school vehicles contracted by transportation consortia.

In November 2016, the Ministry of Education provided a list of known school bus operators to the Ministry of Transportation for comparison with information contained in the Bus Inspection Tracking System. In March 2017, the analysis was completed and discrepancies were assigned to the appropriate district offices for follow-up and verification by July 2017.

In addition, the Ministry of Transportation informed us that it has begun to modernize the Bus Inspection Tracking System platform. This work is scheduled for completion by the end of December 2018.

- *have inspectors focus on school buses considered to be high risk and those that have not been inspected recently;*

Status: Fully implemented.

Details

During our 2015 audit, we noted that the Ministry had inspected more newer buses and fewer older buses than required under Ministry policy, for more than 30% of operators tested.

The Ministry informed us that the latest annual refresher training for inspectors took place in May 2017. This training emphasized following procedures as outlined in the Bus Inspection Manual for selecting buses to inspect and the timing of inspections. Officers were also given refresher training on internal policies for following up on defects found and issuing repair verification notices. In addition, we were told that managers and regional managers are expected to regularly discuss operational policies with staff.

- *complete safety inspections of school buses within the time frames stipulated by MTO's risk-based inspection approach;*

Status: In the process of being implemented by December 2018.

Details

In 2015, we found that more than 90% of school bus inspections we sampled were not completed

within the time frames stipulated by the Ministry's risk-based inspection approach.

At the time of our follow-up, the Ministry was putting in place a new protocol to validate the status of inspections specifically for school bus operators. According to the protocol, quarterly meetings with all district enforcement managers will be scheduled to verify inspection status and ensure timely inspection of school bus operators. The Ministry confirmed that, as of August 2017, several school bus operator terminals were overdue for inspection. The Ministry informed us that, as school bus operators are typically not open in the summer months, it has assigned officers to complete the required terminal inspections in September 2017 when they reopen. The Ministry expects to fully implement this recommendation by December 2018.

- *obtain evidence that violations or infractions noted during school bus inspections are rectified in a timely manner by a school bus operator.*

Status: Little or no progress.

Details

During our 2015 audit, for two-thirds of inspections with violations or serious infractions we sampled, there was no documented evidence that repairs were made or that a repair verification order had been issued requiring the operator to make a repair.

As part of the annual refresher training course for inspectors in May 2017, Ministry inspection officers were trained on internal policies for following up on defects found and issuing repair verification notices. However, at the time of our follow-up, the Ministry was not tracking whether violations or infractions noted during school bus inspections were being rectified on a timely basis.

Recommendation 6

To ensure that Motor Vehicle Inspection Stations (MVISs) are conducting effective mechanical inspections, the Ministry of Transportation should:

- *devise a strategy that enables it to conduct risk-based reviews of MVISs, especially those that are run by school bus operators licensed to inspect their own school vehicles;*

Status: Little or no progress.

Details

In our 2015 audit, we found that the Ministry provided little oversight of MVISs to ensure that they conducted thorough mechanical inspections. This oversight was important since many school bus operators also owned their own MVIS, which they could use to conduct the required mechanical inspections of their own fleet of vehicles.

Since our audit, the Ministry system that supports the MVIS program has been upgraded to allow it to readily identify commercial vehicle operators, including school bus operators, who are also licensed to have an inspection station. At the time of our follow-up, the Ministry informed us that it was reviewing the MVIS program for ways to improve it, but had not yet made any decisions on changes to program delivery.

- *require the MVIS to submit its results of annual and semi-annual inspections for tracking in situations where concerns are identified, as confirmation that its school vehicles have undergone the necessary mechanical inspection.*

Status: Little or no progress.

Details

During our audit, we found that the Ministry had very little assurance that all school vehicles had undergone the required mechanical inspections.

As noted above, the MVIS program was still being reviewed, and no decisions on changes to the program's delivery had been made at the time of our follow-up.

Recommendation 7

The Ministry of Transportation, in conjunction with the Ministry of Education, school boards and transportation consortia, should develop a protocol

to share information on the results of their inspections and audits of school bus operators and motor vehicle inspection stations, and collision information. This will help facilitate timely action to enforce the safety of school transportation services throughout the province.

Status: Fully Implemented.

Details

During our 2015 audit, we found that there was no protocol for information sharing between the Ministry of Transportation, school boards, transportation consortia and the Ministry of Education, nor did the Ministry of Education receive or request reports or specific information regarding school bus safety from these other participants.

Since the audit, a Ministry of Transportation representative has met regularly with consortium managers at the Ontario Association of School Business Officials Transportation Committee. At these meetings, the Ministry of Transportation representative acts as a subject matter expert, providing guidance on enforcement and compliance. The Ministry has also stressed to consortia the importance of the information contained in the CVOR level 2 abstract, and on a one-on-one basis addresses concerns with specific operators.

Recommendation 8

To improve student transportation safety, the Ministry of Education, in conjunction with school boards and transportation consortia, should:

- *develop consistent safety policies for the safe transport of students and for dealing with behavioural issues on the bus;*

Status: Will not be implemented.

Details

During our 2015 audit, we found that policies regarding the safe transport of students varied at each consortium we visited.

According to the Ministry, it has no legal mandate to impose specific transportation policies on school boards, but has taken some actions to sup-

port them in developing consistent safety policies. These are described below.

In March 2016, the Ministry surveyed consortia in Ontario regarding behavioural incidents that have occurred on school buses (30 consortia responded). The survey found that only one-third (11) of the respondents track the number of behavioural incidents. For these consortia, the combined number of reported behavioural incidents increased from 7,774 in 2013/14 to 10,529 in 2014/15. The survey also found that 29 consortia reported having policies regarding student conduct/behaviour on school buses; 23 consortia indicated that schools (principals or delegates) are ultimately responsible for disciplining students (for example, suspension from the bus or from classes); and only two-thirds of consortia (20) indicated that the necessary follow-up or disciplinary actions were enforced often or always, whereas one-third indicated that follow-up actions were enforced sometimes.

At the same time, the Ministry also sought feedback on behavioural incidents on school buses from school bus operators. On behalf of the Ministry, the Ontario School Bus Association (OSBA) surveyed its operators and found that 87% of responding school bus operators reported fairly serious unruly student behaviour on school buses. The OSBA also stated that in most cases the principals took action, but in many cases, such as if they feared it would affect a student's enrolment, they did not act. In some instances parents undermine the principal's actions by complaining to superintendents, trustees or the media. The OSBA also stated that when unruly student behaviour is not addressed by the schools, it leads to drivers quitting, which further intensifies the overall shortage of drivers.

The Ministry met with the Minister's Principal Reference Group (a consultative body composed of 20 principals and vice-principals) in March 2016, and with the committee of transportation consortium managers on June 2016, to present the findings and issues identified.

In October 2016, in the lead-up to School Bus Safety Week, the Deputy Minister sent a memo to

all Directors of Education reinforcing the fact that the provincial requirements on the code of conduct and reporting serious incidents apply on the school bus. It informed principals, especially new principals, that the school bus is an extension of the classroom and that they should address behaviour incidents that occur on the bus in the same manner as incidents that occur in the school.

In November 2016, the Ministry convened an ad hoc transportation safety committee to discuss the safety-related recommendations we made in our *2015 Annual Report*. The committee was composed of stakeholders including Ministry of Education and Ministry of Transportation staff, senior school board officials, transportation managers, and representatives from the two school bus operator associations (the Ontario School Bus Association and the Independent School Bus Operators Association). The Ministry updated the committee on its actions to date on student behaviour on the bus, including the survey results from the consortia, and feedback from the Ontario School Bus Association and the Minister's Principal Reference Group.

In March 2017, the Ministry contacted both bus operator associations to ask whether they would be interested in establishing a data collection mechanism for school bus operators to report on behaviour incidents and provide an annual summary report to the Ministry, consortia and school boards. The bus operator associations agreed to do so and the Ministry expects to follow up with them in fall 2017.

- *identify or develop mandatory training programs and standard information packages for students on school bus safety, and ensure that this training is delivered consistently to all students across the province; and*

Status: In the process of being implemented by September 2018.

Details

During our 2015 audit, we found variations at the three consortia we visited in the information and the training programs offered to students on school bus safety. In addition, only some consortia

made their safety programs mandatory for school bus riders.

According to the Ministry, it has no legal mandate to impose specific transportation policies on school boards, but has taken some actions to support the sector in standardizing school bus safety training.

In October 2016, the Ministry engaged the Ontario Education Collaborative Marketplace (OECM), a group procurement organization, to explore opportunities to procure school bus rider safety videos and on-site school bus safety training modules, which will be available to all school boards as a standard program. In March 2017, the OECM contracted with a service provider to produce three school bus rider safety videos by the start of the 2017/18 school year. These videos will target specific groups of students—first-time riders, junior kindergarten to Grade 3 students, and Grade 4 to Grade 8 students. As well, the service provider will also develop two standardized on-site school bus safety training modules—one for junior kindergarten to Grade 3 students, and one for Grade 4 to Grade 8 students—by the start of the 2018/19 school year.

The Ministry expects that the availability of a standardized school bus safety training program will support school boards and consortia in implementing this recommendation. It informed us that consortia were in agreement in principle with having a standardized training program.

- *determine which grades should be met at the bus stop by an adult, and develop a standardized process for this across the province.*

Status: Little or no progress.

Details

During our 2015 audit, we found that the grades of students who must be met at the bus stop after school by a parent or designated adult varied across the province from kindergarten to Grade 3.

We were informed by both the Ministry and one of the consortia that this recommendation was

discussed with the Ontario Association of School Business Officials Transportation Committee in June 2016. Consensus could not be reached on the need to standardize the policy on which grades should be met at the bus stop by an adult, and on the suitability of a standardized process across the province.

Recommendation 9

The Ministry of Education should set formal guidelines on the reporting of school vehicle collisions and incidents among the transportation consortia to enable comparison and analysis of their causes and facilitate the identification of issues and best practices of consortia for the purpose of developing strategies to mitigate these in the future.

Status: Fully implemented.

Details

In spring 2016, the Ministry sought feedback on collecting data on incidents from a subcommittee of the OASBO Transportation Committee involved with identifying key performance indicators.

In summer 2016, the Ministry followed up on the survey we had conducted during the course of the audit, to determine whether more consortia were now tracking incidents involving school vehicles by type of occurrence (for example, student dropped off at wrong stop, bus late, bad behaviour). Overall, the percentage of consortia tracking incidents by type had not generally improved since the time of our audit.

The Ministry added new survey questions related to incidents with school buses to the 2016/17 transportation survey, to expand data collection on incidents and promote consistent reporting. Consortia will be asked to report the number of instances (1) where students were reported lost or dropped off at the wrong stop; (2) where students were returned to school due to not being met at the stop according to policy; (3) of poor student behaviour or other student injury or medical emergency. Consortia will also be asked what percentage of time school vehicles were on time.

At the time of our follow-up, the Ministry had shared the results of the 2016/17 transportation survey with consortia and posted them on its website.

The Ministry informed us that it will continue to consult with the subcommittee of the OASBO Transportation Committee on changes to the annual transportation survey to support consistent data collection and to enable analysis of the data.

Eligibility for Busing Varies Significantly across the Province

Recommendation 10

The Ministry of Education, in conjunction with school boards, should set standards on eligibility for transportation services, especially home-to-school walking distances for students, to promote greater consistency in transportation services across school boards within the province.

Status: Little or no progress.

Details

During our 2015 audit, we noted that eligibility criteria (based on home-to-school walking distances) to qualify for busing services varied among consortia, among school boards in the same consortium and sometimes among schools within the same school board. Eligibility criteria also varied between grades.

Since the time of the audit, the Ministry has analyzed school board and consortium eligibility policies for transportation services and has identified the range across the province in home-to-school walking distances by grade for the 2010/11 and 2014/15 school years. The Ministry presented these variations in walking distance policies at the June 2016 meeting of the OASBO Transportation Committee, in order to support decision-making by school boards and transportation consortia.

The Ministry informed us that it was considering using transportation eligibility as a criterion/discussion point in the transportation funding formula review, discussed under **Recommendation 11**, but

this was still in the early stages. The Ministry recognizes that equity in funding would be supported by standardized eligibility criteria.

Funding Formula Needs Updating

Recommendation 11

After implementing standardized eligibility criteria, we recommend that the Ministry of Education (Ministry) should:

- *revisit its current funding formula. The formula needs to reflect school boards' local transportation needs based on the number of eligible riders and consortia utilization of buses, and taking into consideration factors such as geography, availability of public transit and the number of students needing transportation services (due to distance, special needs, special programs or road hazards);*

Status: Little or no progress.

Details

During our 2015 audit, we found that school board funding for school transportation was not based on need, but was generally historically based with some annual adjustments for enrolment and inflation, and other minor adjustments.

At the time of our follow-up, the Ministry informed us that it was developing a plan to revisit its funding formula. It was expecting to begin consultations with stakeholders in fall 2017.

- *implement an updated funding formula ensuring that any targeted funding for specific initiatives is spent for the purposes intended.*

Status: Little or no progress.

Details

During our 2015 audit, we found that the Ministry of Education had provided targeted funding for specific initiatives such as safety programs and wage enhancements for school bus drivers, but had not verified that the funds were spent for the intended purpose.

As noted earlier, the Ministry expected to begin consultations on revising its funding formula in fall 2017.

Opportunities Exist for Efficiency Gains

Recommendation 12

In order to increase the efficiency of school transportation services and in turn decrease costs, transportation consortia should:

- *track and monitor utilization by using the most relevant and accurate information available in planning student transportation services, including actual ridership;*

Status: Toronto consortium: In the process of being implemented by March 2018.

Peel consortium: In the process of being implemented by September 2017.

Sudbury consortium: Fully implemented (at the time of our 2015 audit).

Details

At the time of our 2015 audit, we noted that two consortia (Toronto and Peel) were determining the number of buses needed using the number of students who are eligible for transportation rather than the actual number of students riding the buses.

Toronto: In the spring, this consortium confirms with schools which of their students who ride the bus will be returning to school in the following school year. The consortium is also in the process of updating its student transportation website to have parents confirm on-line if their children will be using busing services in the following school year. The consortium expects the portal to be fully operational by March 2018.

Peel: This consortium will track actual headcounts by individual bus run three times per school year, every October, March and May. This process will be fully implemented for the 2017/18 school year.

Sudbury: This consortium met the recommendation at the time of our audit.

- *evaluate the benefits of parents of students who are eligible to use school board–provided transportation services being required to opt in or out of using transportation services;*

Status: Toronto consortium: Little or no progress.

Peel consortium: Little or no progress.

Sudbury consortium: Fully implemented (at the time of our 2015 audit).

Details

At the time of our follow-up, consortia in both Toronto and Peel still did not require parents to opt in/out of using busing services. Parents may notify them in advance either on-line or through the summer call centres, but this is on a voluntary basis. The on-line confirmation process being developed by the Toronto consortium will also be on a voluntary basis. Neither consortia had evaluated the benefits of requiring parents of students eligible for busing services to opt in/out of receiving such services.

At the time of our 2015 audit, the consortium in Sudbury had been requiring parents of eligible students to opt in/out of using busing services during the summer months, to enable route planning.

- *use route optimization software where feasible as a starting point in mapping the most efficient routes to transport students;*

Status: Toronto consortium: In the process of being implemented by September 2018.

Peel consortium: Fully implemented (at the time of our 2015 audit).

Sudbury consortium: Fully implemented (at the time of our 2015 audit).

Details

Toronto: As at the time of our 2015 audit, this consortium still continues to use route optimization software primarily for the purpose of reallocating

costs between the two boards it serves, not for route planning purposes. The consortium informed us that it had run the optimization software to plan the routes for the 2016/17 school year. However, the software generated more buses than were currently on the road, so no major adjustments were made. At the time of our follow-up, the consortium was looking for a new route software provider, which the consortium expects to be using by September 2018.

Peel: This consortium was using route optimization software to plan its routes at the time of our 2015 audit and continues to do so.

Sudbury: This consortium has been using route optimization software for over 10 years for route planning purposes, and will continue to do so.

- *increase sharing of school buses among boards and transporting students from different boards on the same bus;*

Status: Toronto consortium: Little or no progress.

Peel consortium: Little or no progress

Sudbury consortium: Fully implemented (at the time of our 2015 audit).

Details

At the time of our 2015 audit, we noted that the Ministry's transportation survey in 2013/14 indicated that 36% of consortia reported that the boards they served were sharing buses for at least half of the routes, but only 18% indicated that students from different boards (that is, public/Catholic and/or English/French, within the same region) rode together on the bus for at least half of the trips made. The 2015/16 Ministry survey results showed that 36% of consortia still reported that their boards were sharing buses for at least half of the routes, but only 12% indicated that students from different boards rode together on the bus for at least half of the trips made. Therefore, overall, there has been no change in sharing of school buses among boards but a decline in transporting students from different boards on the same bus.

Comparing the 2013/14 and 2015/16 survey results, we did not note any change for the three consortia visited, as shown in **Figure 1**.

- *stagger school start and end times where possible to reduce the number of buses needed, by allowing them to be used on more than one run;*
Status: Toronto consortium: Little or no progress.

Peel consortium: Fully implemented (at the time of our 2015 audit).

Sudbury consortium: Fully implemented (at the time of our 2015 audit).

Details

Toronto: There has not been much change in the staggering of bell times since our audit in 2015. The school boards have been unable to adjust their hours as a result of community resistance, and the cost of hiring the teachers who would be needed is greater than the expected transportation savings. The consortium hopes that the new routing software for which it has put out a request—which it estimates will be in use in September 2018—will reduce the number of buses needed.

Peel: The consortium regularly suggests start and end times that are normally accepted by the schools to increase the efficiency of school transportation.

Sudbury: This consortium decides the start times for schools in its area, and will continue modifying school bell times to reduce the number of buses needed.

- *reduce the need for transportation services by co-ordinating common days off;*

Status: Toronto consortium: Little or no progress.

Peel consortium: Little or no progress.

Sudbury consortium: Fully implemented (at the time of our 2015 audit).

Details

Toronto: As at the time of our 2015 audit, at the time of our follow-up, most days off were already co-ordinated in common among boards. The exceptions were the three professional activity days at the secondary school level that are devoted to local needs and priorities. The consortium noted that there is a possibility of further co-ordination if the Ministry decides to dictate days off.

Peel: The consortium informed us that it continues to ask the boards it serves to consider co-ordinating common days off, and that the boards are now more aware of the benefits of having common days off. However, since 2015, there has been no additional co-ordination of common days off.

Sudbury: At the time of our 2015 audit, the Sudbury consortium had been co-ordinating common days off between its four member boards.

- *only contract for services that are required.*

Status: Toronto consortium: Little or no progress.

Peel consortium: Little or no progress.

Sudbury consortium: Fully implemented (at the time of our 2015 audit).

Figure 1: Ministry of Education Transportation Survey, 2013/14–2015/16

Source of data: Ministry of Education

	At Least 50% of School Bus Routes Shared amongst Boards		Students from Different Boards Ride on the Same Bus for at Least 50% of Trips	
	2013/14	2015/16	2013/14	2015/16
Toronto	No	No	No	No
Peel	Yes	Yes	No	No
Sudbury	Yes	Yes	Yes	Yes

Details

Toronto: At the time of our audit, we found that the consortium was paying bus contractors based on a combination of time and kilometres travelled. We found that the base rate was calculated strictly on time (three hours a day) for its large buses, and they were being used for less than the contracted hours. The consortium has not made any changes to its payment structure since the time of our audit.

Peel: At the time of our audit, the consortium was paying bus contractors based on a combination of time and kilometres travelled. We found that one-third of its buses were significantly underutilized based on the contracted hours. The consortium has not made any changes to the payment structure since the time of our audit.

Sudbury: As found in our 2015 audit, the practice of contracting and paying for actual bus use will continue to be followed.

Recommendation 13

The Ministry of Education should set standards for the optimal utilization of school vehicles for school boards and transportation consortia, and provide guidance to them in calculating utilization rates.

Status: Will not be implemented.

Details

In our *2015 Annual Report*, we reported that consortia were calculating the seating capacity and utilization rates of buses differently, because there was no provincial standard for either one. This made it difficult to compare consortia across the province to see where improvements were needed and to link utilization to the funding for student transportation.

At the time of our audit, the Ministry said it would encourage and support the Ontario Association of School Business Officials Transportation Committee to address the issue at a provincial level.

In June 2017, the Ministry released the results of its 2015/16 Transportation Survey in which it provided guidance to school boards on how to cal-

culate efficiency measures. The report outlines the following routing efficiency measures:

- average students per full-size bus—to measure ability to use available seating capacity;
- average runs per route—to measure ability to reuse assets; and
- number of buses per 100 students—to measure both ability to use both the available seating capacity and to reuse the assets.

According to the survey, in 2015/16, the average students per full-size bus ranged from 40.1 at one consortium to 115.5 at another consortium, the number of runs per route ranged from 1 to 2.2, and the number of buses per 100 students varied from 0.9 to 2.5 province-wide. Huge differences were also noted when comparing consortia serving areas of similar density.

However, the Ministry informed us that it does not plan to set standards for the optimal utilization of school vehicles for school boards. The Ministry's reasoning is that utilization rates for vehicles used for student transportation are directly related to policy and operational decisions at the consortium and school board level.

We continue to believe that the Ministry should implement this recommendation to enable comparison of school bus utilization rates across consortia.

Recommendation 14

The Ministry of Education should clarify the roles and responsibilities of school boards and consortia in setting eligibility and employing efficiency measures.

Status: Will not be implemented.

Details

During our 2015 audit, we noted that the ability of a consortium to efficiently and effectively manage transportation services is affected by the level of authority delegated to it by the school boards it serves, and the willingness of school boards to work co-operatively and integrate services. Consortia with the authority to establish eligibility criteria and employ efficiency measures uniformly across

their entire service area were more likely to employ best practices to their fullest potential.

At the time of our follow-up, the Ministry informed us that it does not plan to implement this recommendation, noting that school boards and consortia are responsible for their own student transportation policies and operational decisions, including eligibility decisions. The Ministry directed us to resources and supports it has provided over the years to school boards and consortia to encourage them to adopt efficiency measures. These resources were in existence at the time of our audit, however, and had not had the desired effect.

We continue to believe that the Ministry should implement this recommendation to enable consortia to manage transportation services more efficiently and effectively.

Procurement of Student Transportation Services Needs Improvement

Recommendation 15

The Ministry of Education, in conjunction with the school boards and transportation consortia, should develop standard criteria for evaluating the submissions of school bus operators in procuring student transportation services. The criteria should appropriately consider the operators' ability to safely transport students.

Status: Will not be implemented.

Details

During our 2015 audit, we found that, of the three transportation consortia we visited, only two had considered both qualitative factors and price when procuring busing services. The other consortium had selected school bus operators entirely on price. We also noted that safety-related criteria varied significantly among the three consortia, ranging from a high of 65% to a low of 26% of the total qualitative score.

At the time of our audit, the Ministry agreed to support school boards and consortia in reviewing this recommendation. In November 2015, an expert panel that the Ministry commissioned to identify best practices and explore options for competitively acquiring busing services other than through requests for proposals presented its report to the Ministry. In January 2016, the Ministry shared the report, entitled *Student Transportation Competitive Procurement Review Report*, with the chairs of Ontario district school boards and with the two associations representing the school bus operators. The Ministry expressed its expectation “that school boards and consortia work together to carefully review both the expert panel’s report and the Auditor General’s report, and consider addressing, where appropriate, the opportunities they present.” According to the Ministry, implementation decisions reside with the school boards and consortia.

The Ministry informed us that, in 2016, it provided \$200,000 to the Ontario Association of School Business Officials to establish the Student Transportation Competitive Procurement Advisory Committee, whose first task would involve reviewing standardization opportunities identified in the *Student Transportation Competitive Procurement Review Report*. Based on our review of the report produced by the advisory committee, in July 2016, the committee provided a sample list of requirements for school bus operators, but not a list of evaluation criteria or how much weight each criterion should carry in the selection process. It left these decisions up to each school board or consortium.

We continue to believe that the Ministry should implement this recommendation to ensure all consortia appropriately consider both price and qualitative factors, such as safety, to the same extent when procuring the services of school bus operators.

THE ROUTE OF THE PROBLEM

Investigation into the Toronto District and Toronto Catholic District school boards' oversight of student transportation and their response to delays and disruptions at the start of the 2016-2017 school year

OMBUDSMAN REPORT

PAUL DUBÉ, OMBUDSMAN OF ONTARIO
AUGUST 2017

**Office of the
Ombudsman
of Ontario**

We are:

An independent office of the Legislature that resolves and investigates public complaints about Ontario government organizations and municipalities, universities and school boards. The Ombudsman recommends solutions to individual and systemic administrative problems.

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Fair treatment
Accountable administration
Independence, impartiality
Results: Achieving real change

Our Mission:

We strive to be an agent of positive change by promoting fairness, accountability and transparency in the public sector.

Our Vision:

A public sector that serves citizens in a way that is fair, accountable and transparent.

THE ROUTE OF THE PROBLEM



**DIRECTOR,
SPECIAL OMBUDSMAN RESPONSE TEAM**

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Ombudsman Report

Investigation into the
Toronto District and Toronto Catholic District
school boards' oversight of student transportation
and their response to delays and disruptions at the
start of the 2016-2017 school year

The Route of the Problem

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Executive Summary

- 1 The first day of school is often met with anticipation, expectation and a degree of trepidation by students and their families. Advance planning is key to getting students to school before that first morning bell. On Tuesday, September 6, 2016, six-year old Adam¹, who lives with autism spectrum disorder, was one of about **49,000** Toronto students, **10,000** with special transportation needs, who waited anxiously for the iconic yellow school bus to arrive for the first day of school. However, the bus never came for Adam. Frustrated and desperate, his mother had to take him to school herself. In fact, for an entire week, Adam's mother had to stay home from work to ensure that he made it to school and back.
- 2 Adam and his family were not alone. In the first weeks of September 2016, about **2,687** Toronto students, more than **300** with special needs, were left stranded at bus stops or after school, waiting for buses that were hours late or never arrived because of a bus driver shortage. Many parents² scrambled to cope with this unexpected development, missing work and making urgent alternative arrangements to get their children to and from school. The mother of Beth, 6, lost her job after repeatedly showing up to work late because the bus was delayed or didn't arrive to pick up her daughter in the morning.
- 3 For some, the situation lasted a matter of days. For others it took weeks to stabilize. Thousands of students missed up to an hour of class each day in those crucial first days. The chaotic busing situation also compromised the safety of young and vulnerable students. At times, overwhelmed bus drivers, unfamiliar with routines, routes and security protocols, dropped students off alone, at wrong stops, or with strangers on the street. Special purple tags affixed to backpacks – signalling that children were to be left with a parent or other responsible person – were ignored. At least three junior kindergarten students sporting purple tags went missing for varying periods after being dropped off at the wrong stops. A Grade 3 newcomer with limited English and a purple tag was left alone on the sidewalk outside her apartment building. She was missing for four hours before she was found at the home of a neighbour. Students with special needs who were supposed to receive “door-to-door” transportation also went missing during the crisis. A 10-year-old non-verbal student living with autism spectrum disorder was found wandering in the yard of the wrong school, and a 15-

¹ Names have been anonymized to protect confidentiality.

² The reference to parents in the context of this report includes guardians.

year-old student with physical and intellectual disabilities was dropped off at the back of her school without adult supervision.

- 4 Some students endured excruciatingly long bus rides because bus operators resorted to using one bus to cover multiple routes. For instance, we heard of a non-verbal child with autism spectrum disorder and epilepsy who spent two and a half hours on the bus one afternoon. Another student with Type 1 diabetes had a similar experience. Charlie, an 11-year-old boy who attends school at a children's treatment centre, spent almost four hours every day on the bus because of the driver shortage. Charlie's mother told us these long rides meant he arrived home each evening "starving, exhausted."
- 5 Bus delays and mix-ups during the disruption were particularly challenging for children with special needs. Danielle, a nine-year-old, non-verbal girl living with autism spectrum disorder, was picked up and dropped off at wildly inconsistent times for weeks. She was extremely distressed by the unpredictable changes in her routine. On the fourth day of school, she arrived home three hours late. Once, she was even driven to Markham despite the fact that she should have been dropped off in Scarborough. Apparently, each city has a street with the same name. Danielle wears a harness while riding the bus, and the stress and delay caused by the driver's mistake caused her to have a meltdown and soil herself.
- 6 My Office has had authority to investigate school board administration since September 2015. Since then, we have received more than **1,400** complaints about Ontario's school boards, including hundreds relating to busing. In September 2016, we received nearly **90** complaints from parents in Toronto concerning bus delays, cancellations, students dropped off at the wrong stops and the lack of response from school board officials. Given the volume and serious nature of these concerns, I initiated my first systemic investigation in the school board sector, focused on the Toronto District and Catholic District school boards' oversight of student transportation and their response to the busing crisis. I received a further **78** complaints after I launched my investigation.
- 7 School busing delays and mishaps occur each year. However, the scope of the problem in September 2016 was unprecedented. The Toronto District and Catholic District school boards, and the Toronto Student Transportation Group, which arranges busing for them, publicly blamed the disruption and delays on a severe and unanticipated bus driver shortage experienced by contracted bus operators. However, my investigation revealed that there were clear early warning signs evident months before the start of the 2016-2017 school year. Officials simply failed to adequately

monitor the developing situation, communicate effectively or plan for contingencies to minimize disruptions and delays.

- 8 Although driver scarcity is a perennial problem, the situation in September 2016 was compounded by the bifurcated nature of transportation planning and administration in Toronto. Staffing loyalty at the Toronto Student Transportation Group is divided, based on whether employees come from the Toronto District or Catholic District boards, resulting in operational silos and a culture of distrust. Each board separately administers its transportation policy, which can result in unexpected and adverse service impacts between the boards. Leading up to September 2016, the Toronto Catholic District board removed thousands of students from nearly finalized bus routes, only to re-add them after a public outcry. These route changes caused planning delays and confusion.
- 9 New busing contracts that came into effect in September 2016 also contributed to the busing crisis. As a result of the contracts, two new bus operators, unfamiliar with the Toronto landscape, were awarded hundreds of new bus routes, while familiar operators were shifted to different geographic areas. Some drivers dissatisfied with their new routes peremptorily quit or changed employers at the last minute. The route planning delays and changes resulting from the Catholic District board's decision also meant that the final routes were nothing like the mock routes operators had been given to prepare for the school year. The late route adjustments left operators struggling to find interested drivers only a few weeks before school began.
- 10 The Toronto Student Transportation Group was aware of the potential for significant service delivery issues in the weeks leading up to the first day of school. However, it failed to fully understand and adequately notify the boards about the gravity of the unfolding situation. Even once it told the boards about the impending serious service disruptions, the boards failed to warn parents and schools.
- 11 The boards and Transportation Group were unprepared when the crisis materialized. There was no communication strategy, so parents and school administrators were often left in the dark, uncertain when or if students would be picked up and dropped off each day. The Transportation Group, bus operators and school staff were quickly overwhelmed by a flood of inquiries and complaints. Telephones weren't answered and voicemail boxes quickly reached capacity. The boards also had no contingency plans in place to ensure student safety and supervision during the disruption. They were forced to strategize reactively in the midst of the ongoing crisis.

- 12 I have concluded based on the results of my investigation that the boards' oversight of student transportation and their response to delays and disruptions at the start of the 2016-2017 school year were unreasonable and wrong under the *Ombudsman Act*. This report makes 42 recommendations to improve the safety and reliability of the boards' student transportation. My Office received many complaints in fall 2016 relating to busing issues at school boards outside of Toronto. While they may not have experienced problems on the same scale as Toronto, I hope that these recommendations will also serve as a guide to other boards seeking to improve their transportation policies, procedures, and practices.
- 13 Ensuring the safe and timely transportation of children is a serious responsibility. Pre-planning, co-ordination and communication are essential to prevent and respond effectively to delays and disruptions. Children, parents and school administrators should not be left in the lurch when the wheels metaphorically fall off the bus.

Investigative Process

- 14 My Office began receiving complaints about school bus issues in Toronto as soon as the 2016-2017 school year began on September 6, 2016. This wasn't surprising. Complaints are common during the first weeks of school, as various issues with bus routes arise and are resolved. However, the complaints we received in September 2016 were markedly different. We heard about lengthy bus delays and cancellations, vulnerable students being dropped off at the wrong stops, and an overwhelming lack of response from bus operators, the school boards and the Toronto Student Transportation Group, which arranges busing on their behalf. In addition, there were numerous media reports of delays, cancellations, and other disruptions. My staff closely monitored these serious issues and worked to find individual resolutions to the **88** complaints that we received during September 2016.
- 15 Given the number of complaints and the impact of the service disruptions, on September 26, 2016, I notified the Toronto District School Board, the Toronto Catholic District School Board, and the Toronto Student Transportation Group that I was launching a systemic investigation into whether the boards' oversight of student transportation and their response to delays and disruptions at the start of the 2016-2017 school year were adequate. I also informed the Ministry of Education, which funds student transportation in the province. After publicly announcing my investigation, we received an additional **78** complaints and submissions about the bus disruptions in Toronto.

- 16 Seven investigators, assisted by members of our Legal team, conducted **43** interviews with school board and Transportation Group staff, as well as staff from the Ministry of Education, school bus operators, industry stakeholders, unions representing school bus drivers, and representatives from other school boards and transportation groups. They also spoke to individuals who contacted our Office with complaints about the busing disruptions. Whistleblowers also came forward during the course of the investigation.
- 17 Investigators also reviewed more than 20 gigabytes of information provided at my request, including some 55,000 emails. As well, we looked at the structure, policies and procedures used by student transportation bodies throughout the province.
- 18 We received excellent co-operation from the school boards, the Transportation Group and other key stakeholders during the course of the investigation.

Scope of investigation

- 19 My investigation focused on the Toronto District and Toronto Catholic District school boards, which experienced intense service disruptions on a significant scale in September 2016. However, our Office spoke with other school boards that were also affected by busing problems around the same time. Student Transportation of Peel Region told our investigators about significant service issues at the start of the September 2016 school year. They told us that, as of December 2016, **3,000** students were affected by these disruptions. We also heard about transportation disruptions in the Hamilton-Wentworth District and Hamilton-Wentworth Catholic District school boards, where staff told us approximately **1,500** students were affected. Although I did not expand my investigation to include these other boards, I am hopeful that this report and recommendations will help school boards throughout the province improve their oversight of student transportation and better respond to delays and disruptions.
- 20 During our investigation, we also heard from stakeholders who raised concerns about the procurement framework that governs busing contracts in the province, as well as issues with bus driver pay and working conditions. These matters were largely outside the scope of this investigation, which was limited to whether the Toronto boards' oversight

of student transportation and their response to delays and disruptions at the start of the 2016-2017 school year was adequate.³

Student Transportation in Ontario

- 21 Before addressing Toronto's September 2016 busing crisis in detail, it is useful to consider the general context of school transportation in Ontario, where more than **800,000** students are bused to and from school each year.

Legislative framework

- 22 Under the *Education Act*, school boards are self-governing bodies entitled to establish their own transportation eligibility criteria and policies.⁴ There is no legislated requirement that boards provide busing for students. However, the Act excuses children from attending school if transportation is not provided by a board and there is no school within a prescribed distance from their residence.⁵ In Ontario, most school boards arrange transportation for eligible students, usually by school bus.

Ministry of Education

- 23 The Ministry of Education plays an important financial role in student transportation. It provides the bulk of operating funding to school boards, through the annual Grants for Student Needs program, also known as the "funding formula."⁶ For the 2016-2017 school year, the total transportation grant amounted to \$896.6 million.

School boards

- 24 School boards establish policies and eligibility criteria related to student transportation. To deliver these services efficiently, those in the same

³ Reference to Toronto boards in this report are to the Toronto District School Board and the Toronto Catholic District School Board. Two French-language boards – Conseil scolaire Viamonde and Conseil scolaire de district catholique Centre-Sud – also operate schools in Toronto. These boards were not included in our investigation.

⁴ *Education Act*, RSO 1990, c E2, s 190.

⁵ These distances are: 1.6 km for children under 7 years of age, 3.2 km for children aged 7-10, and 4.8 km for children over 10. *Education Act*, supra note 4 at s 21(2)(c).

⁶ "Grants For Student Needs - Legislative Grants For The 2016-2017 School Board Fiscal Year", O Reg 215/16.

geographic area typically join together to establish a body to assist with arranging transportation, referred to as a consortium. They are represented on the boards that govern these consortia, and must provide them with information about their schools and students to assist in administering the transportation program.

- 25 School boards are not required by law to establish consortia, but since 2000, the Ministry of Education has provided financial incentives to those that chose to do so.
- 26 Since 2011, school boards have been required under the *Broader Public Sector Accountability Act, 2010* and its related directive to use competitive procurement for contracts greater than \$100,000.⁷ Given their size, all student transportation contracts must be awarded using an open, fair, transparent and competitive procurement process. Procurements must be advertised through an electronic tendering system accessible to all Canadian suppliers, and suppliers must be given at least 15 days to respond.

Transportation consortia

- 27 While some consortia are incorporated as legal entities separate from the boards that created them, many are not. Today, there are 33 transportation consortia in the province, and virtually all student transportation service is co-ordinated through them.
- 28 Typically, a consortium is responsible for:
 - a) Administering the transportation policies of member school boards;
 - b) Planning transportation services for member school boards, including designing routes, identifying eligible students, determining student pickup and drop-off locations and times, and managing student information required by school bus operators;
 - c) Contracting with school bus operators to provide student transportation services and monitoring operators' service performance; and
 - d) Performing audits on school bus operators to ensure compliance with legislation, regulations, and contractual terms between the consortium and the operators.

⁷ *Broader Public Sector Accountability Act, 2010*, SO 2010 c 25.

Bus operators

- 29** School bus operators are contracted by consortia and are responsible for providing transportation services that comply with legislative and regulatory requirements, as well as the contractual provisions between the operator and the consortium. There are more than 200 school bus operators in Ontario that provide publicly funded student transportation.

Bus drivers

- 30** Most school bus drivers are employees of bus operators. For most students, parents, and school administrators, bus drivers are the face of student transportation.
- 31** The bus driver position is part-time, usually split-shift (i.e. they work in the morning and afternoon with a break in between), and low-paying, relative to other jobs that require a specialized driving license. It is also demanding work that can require supervising up to 70 children while safely navigating congested city streets. There is a chronic shortage of drivers and a high rate of attrition and turnover. One bus operator representative told us the company loses 15% of its drivers every year. We were told retention issues have worsened in recent years due to increased competition for drivers from other industry employers.
- 32** Typically, bus drivers are attached to specific routes, schools, or children, and will work for the operator that has the route they want. Bus operators told us that drivers often refuse to drive routes they do not like, insist on selecting their own routes, and quit if a route is changed too often or too significantly. Drivers may also commit to driving for multiple bus operators in the months preceding the start of school and then choose their preferred route and employer at the last moment. We heard of one case where a bus driver quit one operator to work for another – leaving the bus parked in a public place – without any notice to the original employer. We were also told drivers are not normally paid for the time it takes to get to and from where their buses are parked, and for that reason, they may refuse routes that are too far from their home. This was a significant factor in September 2016, when bus operators were given routes in parts of the city where they had not recruited drivers.

Toronto's School Bus System

- 33 Transporting students in Toronto is a massive and challenging undertaking. There are some **49,000** children, **10,000** of whom have special transportation needs, who are bused accordance with policies established by the Toronto District and Toronto Catholic District school boards. The primary responsibility for arranging this transportation falls to the Toronto Student Transportation Group.

Toronto Student Transportation Group

- 34 The Toronto Student Transportation Group is an unincorporated consortium that was created in September 2011 under agreement between the Toronto District School Board and the Toronto Catholic District School Board. The Transportation Group procures and manages transportation for the two boards. Its 2016-2017 budget was nearly \$100 million.

Organizational structure

- 35 Day-to-day decision making at the Transportation Group is guided by an operations committee comprised of three members of its senior staff, as well as each board's senior business official responsible for transportation. The committee is responsible for:
- a) Making recommendations about the financial planning, annual budgeting and reporting;
 - b) Dealing with operator-related contract issues, including negotiations and dispute resolution;
 - c) Identifying and advising on policy and regulatory matters;
 - d) Dealing with transportation issues, such as parent requests for exceptions to the boards' transportation policies;
 - e) Communicating with provincial ministries regarding policy direction and regulations; and
 - f) Dealing with staffing and safety issues.
- 36 The Transportation Group is governed by a four-member committee that provides direction, oversight, and advice. Each board appoints a trustee and senior business official to sit on the governance committee. It is responsible for, among other things, reviewing and reporting to the boards on proposed policy changes, assessing policies and procedures, as well

as mediating and resolving issues brought forward by the operations committee.

Transportation planning

- 37 Each board has developed its own transportation policy, to which the Transportation Group's route planners must adhere. These policies establish eligibility requirements and place limits on the timing and length of bus rides.⁸
- 38 There are two types of bus routes in Toronto: Those serviced by traditional, large-capacity school buses ("big-bus" routes), and those serviced by smaller buses for students with special transportation needs. Planning for these routes is done separately, with big-bus route planning typically beginning in the spring so that a tentative schedule can be released before the school year ends in June.
- 39 The route planning process for students with special needs is more complicated. Every April, the Toronto Student Transportation Group contacts schools to determine how many existing students with special needs will require transportation for the next school year. The Transportation Group also receives transportation requests from each board for new students with special needs. Typically, routes for students with special needs are provided to bus operators in August.

Toronto school bus operators

- 40 There are seven school bus operators that service about **1,750** routes in Toronto, covering more than 74,000 kilometres each day. Separate from these operators, the Toronto District board also maintains a fleet of 13 large school buses and a roster of full-time drivers to operate them. The Toronto Catholic District board does not have its own fleet.
- 41 The contracts entered into by the boards require that operators meet specified service standards including that they:

⁸ "Transportation of Students", Toronto District School Board (2005 October 27), online: <<http://www2.tdsb.on.ca/ppf/uploads/files/live/93/185.pdf>> and "Transportation Policy", Toronto Catholic District School Board (2015 November 19), online: <https://www.tcdsb.org/Board/Policies/Documents/S.T.01_Transportation_Meta%20Policy%20Format.pdf>.

- Have a dedicated driver for each route and a sufficient number of spare drivers to cover for absent drivers. Operators must notify the boards when they have more routes than available drivers;
 - Adhere to scheduled pick-up and delivery times unless “unusual circumstances” occur. If a bus will be delayed more than 15 minutes, the bus operator must directly notify parents of students with special needs. Operators must also notify schools and the consortium if students will arrive at school late;
 - Ensure that students who participate in the “Purple Equals Parent” program (which uses purple tags on backpacks to identify children who must be met when dropped off) are not dropped off without a responsible individual present;
 - Equip all buses with GPS tracking;
 - Use a public notification system to provide parents with information about late buses in a variety of formats (e.g. email, text, phone call); and
 - Maintain a sufficient number of phone lines and office staff to address inquiries from the public, schools, and families. One dedicated phone number must be provided to the Transportation Group for its sole use.
- 42** Failure to meet these requirements entitles the boards to take remedial action, such as imposing financial penalties, assigning routes to another operator, and/or terminating the service contract. For instance, the contract provides that an operator can be penalized \$2,000 when a driver drops off a student unsupervised who has a purple tag displayed.
- 43** To meet their obligation to report bus delays, operators use a special computer program that can be accessed by the Transportation Group and individual schools. Information about delays is also transmitted to a website – www.torontoschoolbus.org – that can be accessed by parents, schools, and the general public.

Crisis, What Crisis?

- 44** As the first day of school for the 2016-2017 year approached, students, parents and school administrators in the two Toronto boards had no clue that a large-scale busing crisis was brewing. They reasonably assumed that the Toronto Student Transportation Group and senior board officials

had carefully planned and co-ordinated bus routes and schedules for the new school year. They were wrong.

Harbinger of crisis

- 45** Six-year-old Adam lives with autism spectrum disorder. Transitions are particularly difficult for him. The first day of school, September 6, 2016, he waited anxiously for the school bus to arrive. As time passed without the familiar yellow bus coming into sight, his mother became increasingly concerned. She tried to contact the bus operator to find out what was going on, but couldn't get through. Finally, she was forced to stay home from work to take Adam to school and back. She continued to do so for an entire week. As would soon become apparent, Adam was not alone.
- 46** Similar scenarios were materializing throughout the city. In an email to the board, one Catholic District board principal said that on the first day:
- ...our last bus arrived at, yes really, 10:30 a.m. for an 8:30 a.m. school. A Grade 2 [student]...was left stranded at their bus stop for over two hours and [was] only picked up because another parent called me and advised me... His mother had left him there because she couldn't wait anymore because she had to get to work.
- 47** At the height of the service disruption, some **2,687** students were directly affected. About 2,400 of them were assigned to large-capacity buses; **300** were students with special transportation needs. The Transportation Group told us that at the worst point, 20 large-capacity and 27 special education routes did not have assigned drivers. However, the number of affected routes was much higher, since some drivers were servicing not only their routes, but portions of the driverless routes. Some students were affected for a few days, but others were subject to delays and disruptions for months.

Safety breaches

- 48** The most disturbing aspect of the busing crisis was the lapse in safety protocols, which placed young and vulnerable students at risk. The Toronto Student Transportation Group has a program known as "Purple Equals Parent," to assist bus drivers in identifying students from junior kindergarten through Grade 3 who must be met when dropped off. A purple tag is affixed to the student's backpack, and drivers are responsible for checking for the purple tag. If a parent, older sibling or other responsible person is not at the stop, the driver is required to contact a

dispatcher and await instructions on how to proceed. Bus operators are responsible for training drivers on the program. During the crisis some bus drivers may have been unfamiliar with the routines, routes and security protocols or simply too overwhelmed to follow them. In the confusion and chaos, some students were dropped off at the wrong stops, sometimes several kilometres from their homes without supervision. At least one young student was handed over by a driver into the custody of a stranger walking along the street near the school.

- 49 Our Office heard of three separate cases where a driver dropped off a junior kindergarten student with a purple tag at the wrong stop. One four-year-old went missing on the first day of school when he got off at a wrong stop. Another's absence, after being delivered to the wrong location, went unnoticed for 20 minutes, until a passerby discovered the young boy wandering alone and brought him into a nearby school. Staff there called the boy's home school, just as it was preparing to call 911. Another junior kindergarten student with a purple tag was dropped off three stops early with no one to meet him. All the children were eventually reunited with their families, but given their ages, clearly the safety breaches were significant.
- 50 We also learned of other vulnerable students placed at risk during the busing crisis. For instance, a Grade 3 newcomer student with limited English and a purple tag was left alone on the sidewalk outside her apartment building around 3:30 p.m. Her parents eventually contacted the school and police after their daughter didn't arrive home as expected. At 7:40 p.m. – four hours after the student had been dropped off – she was found with an unfamiliar neighbour who had discovered her alone on the street. In another case, a 10-year-old nonverbal student with autism spectrum disorder was found wandering in the yard of the wrong school. This was in contravention of the transportation policy for students with special needs, which specifies that they receive door-to-door transportation to ensure safety and supervision.

Missed classes, long rides and difficult adjustments

- 51 Many students lost out on significant learning time as a result of the busing situation in the critical first days and weeks of school. Two parents, one of a kindergartner with a developmental disability, told us that their children missed up to an hour of instruction per day for over a month. A public school principal raised a similar issue, noting that the impact on student learning was "becoming more significant with each passing day."
- 52 Others told us that their children had very long bus rides because drivers made extra stops to help service driverless routes. Toronto Student

Transportation Group staff told us some students didn't get home until 6 p.m., even though their school was dismissed at 3:15 p.m. We heard of a non-verbal child with autism spectrum disorder and epilepsy who spent two and a half hours on the bus in the afternoon. Another student with Type 1 diabetes had a similarly long bus ride. Charlie, an 11-year-old who attends school at a children's treatment centre, spent nearly four hours on the bus every day for months.

- 53 More generally, parents complained that the delays and makeshift transportation plans made it difficult for students – especially those with special needs – to adjust to a new school year. A Catholic District principal expressed these concerns in an email to the board, noting:

Parents, teachers, support staff and administrators are very dependent on the transportation for our students with special needs, as we wish them to arrive to school safe, on time and ready to learn. Due to multiple transportation no-shows, our students with special needs have experienced high anxiety and a sense that they are not important...Parents, teachers, support staff and administrators are worried about the message being sent out to our students. It is clearly being said that they are not important and don't matter.

- 54 The mother of Danielle – a nine-year-old, non-verbal girl living with autism spectrum disorder – told us about her busing struggles at the start of the year. On the first day of school, Danielle was picked up 20 minutes early and dropped off over an hour later. On the third day of school, the bus driver mistakenly drove Danielle to Markham after school, even though she should have been dropped off in Scarborough, apparently because the street had the same name as one in Markham. The stress and delay caused by the driver's mistake caused her to soil herself. On the fourth day of school, Danielle arrived home three hours late. These severe busing issues would be upsetting for any nine-year-old, but they were especially challenging for Danielle, who struggled to understand the delay and becomes severely stressed and anxious when her routine is changed. Danielle's mother complained about these incidents but never received an adequate explanation.
- 55 Several parents told us they were forced to risk their employment by skipping work or repeatedly showing up late. The mother of six-year-old Beth told us the bus was late or a no-show so often that she lost her job, because getting her daughter to school made her late for work too many times.

First day of school: “Tomorrow will be better”

- 56** While students and their families grappled with their personal transportation nightmares on the first day of school, the Transportation Group and the two Toronto school boards remained relatively oblivious to the situation.
- 57** When buses began picking up students on September 6, 2016, the Toronto Student Transportation Group and the Toronto boards initially thought things were going as well as could be expected for the first day. They knew of some transportation disruptions in the morning and afternoon, but they attributed this to new drivers, teachers, students and parents getting accustomed to their routes. After the morning buses completed their routes, the Transportation Group’s Operations Manager emailed the Toronto District board that the first morning was “not smooth, but no first day is smooth.” In an update to both boards around 12:30 p.m., the Operations Manager assured them that “tomorrow will be better” because drivers would have experience with the routes and operators would improve in covering vacant routes and providing notification about any residual service issues.
- 58** In reality, thousands of parents and children were spending hours waiting for buses that were late or never showed up and some young and vulnerable students were being let off at the incorrect bus stops without adult supervision. Parents were receiving little or no information about bus delays or cancellations and struggled to contact bus operators whose lines were constantly busy.
- 59** Some parents began sharing their frustration on Twitter. Many parents tweeted about buses that were over an hour late, while others complained that buses didn’t arrive at all. Some examples of their comments:

@tdsb Day 1 school bus was 90 minutes late! Can this be more ridiculous?!

#TDSBfirstday @tdsb who organizes the buses for TDSB? 1 hr after school let out and my daughter who is in SK and 20 others still no bus

The afternoon bus didn’t come either. How can we find out if there’ll be a bus tomorrow morning?

@TCDSB first day JK! Yeah! Why was our afternoon bus 1hr late?? Kids were home @ 5pm!! I hope tm is better day! Bus didn't show this morn

@TCDSB Your services with the school buses are sickening. My 3 kids and I have been waiting over an HOUR for pickup. STILL NO BUS!!!

- 60 By the end of the day, the Transportation Group had also received reports of several delays and buses that never appeared. For instance, it reached out to a bus operator at 5 p.m. because several schools with 3 p.m. dismissal bells had called to say that students still had not been picked up. The Toronto District board's communication officer even received a media inquiry about delay at one school.

Second day: Wednesday, September 7

- 61 By the second day of school, the Transportation Group, bus operators, the two boards and individual schools were overwhelmed with inquiries and complaints about busing. A member of the Toronto District board's communications department who had been monitoring social media emailed colleagues to say that the volume of complaints seemed **"really off the charts"** compared to previous years. Parents were frustrated and angry that they had received no prior notice of the service disruptions and were still being kept in the dark. Parents tweeted about long waits and no-show buses. One mother of a seven-year-old boy with autism spectrum disorder shared her frustration about waiting with her son 90 minutes for the school bus on the first day of school and 120 minutes on the second. She said her son "cried for an hour" because of this delay. Some other examples of tweets from September 7:

No bus pickup after school either, school is as confused as I am, no calls returned from bus company. Put student safety first!

So bus company says they haven't even hired driver yet for her route. Expected us to just put [daughter] in cab with no notice. Ridiculous @tdsb

@TCDSB anybody home? Seems all these phone numbers to call and nobody answering?

Day 2 kids are stranded. No school bus! How do u expect these lil ones to have a great school experience?! #HELP
#GetOurKidsToSchool

- 62 My Office also received numerous calls from parents frustrated by the boards' and Transportation Group's inadequate response to the disruption.
- 63 As the service problems began to mount, the Transportation Group and boards recognized that it was not busing as usual. One operator called the Transportation Group to advise that it would be unable to service 34 of its routes that day. After receiving complaints about no-show buses from a different operator, the Transportation Group contacted it by phone and was told that it, too, was having difficulties servicing its routes. By 9 a.m. on the second day, the Transportation Group's General Manager told the Toronto District board in an email that this was "one of the worst years" he'd seen. Together, the Transportation Group and the boards began to work in crisis mode, discussing how to resolve the effects of the transportation disruptions – late and stranded students, angry parents and schools – while trying to deal with the underlying cause of too few drivers.
- 64 That afternoon, the Transportation Group and both boards met by teleconference to discuss the service disruptions and to develop an action plan. Rapid communication was deemed the top priority, and after this meeting, general information referring to school bus delays was posted on the Transportation Group's and school boards' websites. Around 1 p.m., both boards shared information about the service disruptions on Twitter:

From Toronto DSB (@tdsb):
Important information for parents about significant bus delays and possible cancellations. [link to website]

From Toronto Catholic DSB (@tcdsb):
Driver shortages causing school bus delays at some TDSB & TCDSB schools. Latest updates online: [link to website]

- 65 Both boards attributed the service disruptions to a serious, unanticipated driver shortage. On its website and Facebook, the Toronto District board said the public "should expect significant delays and the possibility that some buses may not be running due to an **unanticipated bus driver**

shortage” [emphasis added].⁹ The Toronto Catholic District board relayed a similar message, indicating that it “was advised **today** that a **serious driver shortage** is impacting many of [its] schools” [emphasis added].

- 66 Around 3:30 p.m., the boards notified schools that this information had been posted and asked them to contact parents. They also asked their schools to help identify which routes and students were affected by the service disruptions, since this information wasn’t readily available from the Transportation Group or the bus operators. Although the service contract required operators to share this information with the Transportation Group, this didn’t consistently occur.
- 67 News media quickly picked up these communications and began reporting on the service disruption. According to one article, the boards blamed a “sudden and unexpected” driver shortage for the delays,¹⁰ with the spokesman for the Toronto Catholic board calling the shortage a “unique and unprecedented situation.”¹¹ However, a spokesman for the Toronto District board was also quoted as saying the board knew of potential concerns in advance:

Last week we started to hear about potential number problems, but no one anticipated this to be an issue, otherwise we would have told everyone.¹²

- 68 As the crisis unfolded, school administrators and staff bore the responsibility of communicating with parents about the delays, fielding complaints, and arranging supervision and transportation for students. This burden fell primarily on principals, who were often contacted by parents who could not get through to the Transportation Group and bus operators because phone lines were busy or went straight to voicemail. Principals were quickly overwhelmed by the number of complaints they received, the

⁹ Toronto District School Board Facebook post (2016 September 7), online: <https://www.facebook.com/toronto.dsb/posts/10157324839770431?comment_tracking=%7B%22tn%22%3A%22O%22%7D%3E>.

¹⁰ Andrea Gordon, “Bus bungle starts school year in chaos for thousands of students”, *The Toronto Star* (8 September 2016), online: <<https://www.thestar.com/yourtoronto/education/2016/09/08/driver-shortage-delays-hundreds-of-toronto-school-buses.html>>.

¹¹ Courtney Greenberg, “Mom waited 1 hour at bus stop for kids to come home but they never showed up”, *CTV News Toronto* (7 September 2016), online: <<http://toronto.ctvnews.ca/mom-waited-1-hour-at-bus-stop-for-kids-to-come-home-but-they-never-showed-up-1.3062996>>.

¹² The Canadian Press, “Bus driver shortage leaves about 1,000 students stranded, delayed”, *The Globe and Mail* (8 September 2016), online: <<http://www.theglobeandmail.com/news/toronto/bus-driver-shortage-leaves-about-1000-toronto-students-stranded-delayed/article31762481/>>.

need to quickly disseminate information to affected parents, and the practicalities of dealing with late and stranded students. The Toronto School Administrators' Association summarized these concerns in an email to the Toronto District board on the afternoon of the second school day:

...There are schools where 70 or more students have not been picked up by buses. It is not feasible for [a] single admin [staff] with one office staff to contact this many families within a reasonable time frame. Also some [principals] have informed us that there are parents who cannot get to the school to pick up their children, which puts the onus on principals to find some way to get the children home. Again this is not workable (too many children and too few adults). There are also some parents who cannot be reached by phone.

Third day and beyond: Thursday, September 8...

- 69 When the third day of school began, there still had not been a formal, written notification to parents from the boards or the Transportation Group about the disruptions. Instead, parents were left to obtain updates from social media and news reports.
- 70 Finally, during the day on September 8, the Catholic District board's Director of Education issued a letter to parents, advising that a significant number of students had experienced busing delays, which would be resolved in the coming weeks. In the letter, the board again blamed the disruption on the serious driver shortage and said it had only learned of the issue the previous day. It said, in part:

Dear Parent/Guardian:

As you are aware, the Toronto Catholic District School Board **was informed on September 7th of a serious shortfall in the number of school bus drivers** employed by three transportation providers for the Board [...] As a result, a significant number of our students across the City, including Toronto District School Board students, have experienced general delays and both pickup or drop-off interruptions in school bus transportation service this week.[emphasis added]¹³

¹³ Online:

<<https://www.tcdsb.org/ProgramsServices/BoardServices/studenttransportation/Documents/Bus%20Letter%20to%20Parents,%20September%208,%202016.pdf>>

- 71 The board's letter said approximately 1,200 students were directly affected by the service disruption, and their families would receive a separate letter from their school principal with additional information and instructions. The letters from principals informed affected parents that their child's bus route had no driver assigned and urged them to make alternative transportation arrangements "if at all possible" for a few weeks. Parents were asked to contact the principal if this was not possible to canvas alternatives. Some parents complained to our Office that the letters were insufficient and lacked necessary details. A letter was sent on September 13 to update parents about the ongoing disruptions, which again blamed the driver shortage for the ongoing disruption. However, many parents continued to complain to our Office and the board about the lack of ongoing communication.
- 72 It was not until September 9 – the fourth day of school – that the Director of Education for the Toronto District board issued a letter to parents with information regarding the disruption. The letter explained that an unexpected, serious shortfall of drivers had led to significant service disruptions. It indicated that the board first learned of the issue on September 6:

Dear Parent/Guardian,
On September 6, 2016, the Toronto District School Board (TDSB) was **unexpectedly** informed of a **serious shortfall in the number of school bus drivers** employed by three of our transportation providers [...] As a result, some students attending the city's public and Catholic schools have experienced significant school bus delays and, in some cases, cancellations. [emphasis added]

It is not uncommon to experience minor and isolated transportation issues at the start of every school year, which are resolved within a short period of time. This year, the level of disruption caused by the shortage of bus drivers cannot be solved immediately. While the shortage of bus drivers is beyond the school board's control, we sincerely apologize for this inconvenience and thank you for your continued patience.¹⁴

- 73 The board indicated that **1,275** students from 50 public schools were directly affected by the disruption and would receive a separate letter from their school. In those letters, parents were assured that students would be supervised from 7:30 a.m. until the last bus departed in the afternoon. The board sent another letter to affected students a week later to provide

¹⁴ Online: <<http://www.tdsb.on.ca/EarlyYears/Kindergarten/SchoolBusDisruptions.aspx>>

further updates. In his interview with our Office, the board's Director of Education said he felt the board had done everything in its power to keep parents informed. However, parents complained to the board and our Office that these communications failed to provide clear, concrete information about the transportation disruptions.

Ignoring the Warning Signs

- 74 The chaos caused by the service disruptions was largely avoidable. Although the Toronto Student Transportation Group and the Toronto District and Toronto Catholic District school boards repeatedly told my investigators, parents and the media that the transportation disruptions were unforeseeable, there were many indications that September 2016 would be exceptionally challenging for student busing. A key factor involved the new service contracts with bus operators, which were in place for the start of the 2016-2017 school year. As a result of service changes, new operators and drivers would be responsible for many routes, increasing the risk of error.

The Transportation Group's Request for Proposal

- 75 The Toronto Student Transportation Group was required to engage in its first competitive procurement process under the new broader public sector procurement directive in 2016 because its 2007 agreements were expiring.
- 76 The Transportation Group issued a Request for Proposal (RFP) in November 2015. The request was more comprehensive than the 2007 contracts and contained many new or modified provisions regarding service requirements.
- 77 More than 1,700 routes were up for grabs under the RFP. Bus operators bid on "bundles" of 30 routes. Operators were not given information about the location of specific routes and were not able to limit their bid to a specific geographic area.

Contract award process

- 78 Eight bus operators submitted proposals, three of whom had not previously worked with the Transportation Group. As part of a three-stage evaluation process, the bidders had to meet several requirements, demonstrate a technical capacity to provide service, and provide competitive pricing. They also had to provide information about their driver retention/recruitment

strategy, external and internal communication strategies, and their administrative and/or operations team, among other matters. A fairness commissioner was engaged to monitor, advise, and provide expert procurement guidance during the RFP process. Seven bidders were successful; the eighth was automatically disqualified because it was the most expensive.

- 79 In its final report to the school boards on the process, the Transportation Group noted that the new broader public sector procurement requirements¹⁵ had impacted how it procured student transportation, and that it had “very little control over who is awarded services.” The Transportation Group was hesitant about the number of routes that would be awarded to two bus operators that had not worked with it before. In the past, new operators were limited in the number of routes they were awarded. However, the RFP fairness commissioner told the Transportation Group that it could not restrict the number of routes allotted to new entrants to the Toronto market. These two operators were among those that ultimately had driver shortages in September 2016.
- 80 Service contracts were awarded in February 2016. The contracts were for six years, with two optional one-year extensions.

Ambiguity in the RFP

- 81 Some bus operators we interviewed told us the language in the RFP was ambiguous, causing them to misinterpret provisions about route allocation and pricing. Although the Transportation Group issued an addendum to the RFP responding to 130 questions from operators, confusion remained.
- 82 For instance, one operator bid on and was awarded 300 routes in February 2016, but later approached the Transportation Group to explain it had not intended to service 300 routes and would be returning 150 of them. The Transportation Group had to distribute these routes to other operators willing to take on additional work. The operator told us it may have misunderstood the RFP, but the information and documentation submitted as part of its bid clearly demonstrated it only had resources to operate 150 routes. Another operator misunderstood the wording in the RFP regarding the pricing guidelines per route. These misunderstandings occurred even though operators had the opportunity to ask questions before submitting a bid.

¹⁵ As noted in Paragraph 26.

A learning experience

- 83 While there were multiple contributing causes for the busing disruptions in September, many of the underlying issues originated from the structure of the 2016 RFP. These issues might have been avoidable if the RFP had been drafted differently, with a greater emphasis on service reliability and a lower emphasis on price. Although it will be some time before the Transportation Group conducts a new RFP for transportation services, the lessons learned during the 2016 RFP should guide future procurements for both the Toronto Student Transportation Group and other consortia throughout the province. The recommendations in this report will help ensure the Transportation Group obtains adequate and reliable transportation services in a manner that is open, fair and transparent, as called for in the broader public sector procurement requirements.

- 84 For instance, the Toronto Student Transportation Group failed to give bus operators specific route information during the bidding process. Operators were expected to rely on the Transportation Group to ensure routes were assigned in areas where the operators had depots, wanted to work, and had engaged drivers.

- 85 Other transportation groups in the province, such as the Student Transportation Services of York Region, told us they provide operators with copies of the specific routes available to be bid on, including the length and timing of the route. Minor changes can be made to some routes, especially those servicing students with special needs, but an estimated 90-95% would remain unchanged. Student Transportation of Peel Region told us it uses a similar route bidding process.

- 86 In future, the Toronto Student Transportation Group should ensure that its RFPs allow bus operators to bid for specific routes in clear geographic zones.

Recommendation 1

The Toronto Student Transportation Group should ensure future RFPs allow bus operators to bid for specific routes in clear geographic zones.

- 87 The evaluation criteria used in the RFP were also problematic. It did not consider whether operators had a history of successfully operating in Toronto. In at least one case, the evaluation committee had difficulty determining whether an operator had the resources to service the number of routes bid on. The Transportation Group is aware of these issues. In the

wake of the September 2016 service disruptions, the Toronto District board asked its staff to prepare a report for its Finance and Accountability Committee regarding the causes of the driver shortage and what could be done to prevent its recurrence. A draft version of the report recommended that the Transportation Group:

develop language for future RFPs that adds more weight to experience in operating in urban areas, and to operators who have more resources to draw upon in these situations and less emphasis on price.

- 88 However, the final report – dated September 28, 2016, and signed off by the Toronto District board’s Associate Director responsible for transportation – did not contain this recommendation, or any of the other eight recommendations put forward in the draft report. To prevent future busing disruptions, the Transportation Group should consider including language in future RFPs prioritizing operators with experience operating in urban areas and with greater resources.

Recommendation 2

The Toronto Student Transportation Group should consider including language in future RFPs prioritizing operators with experience operating in urban areas and with greater resources.

Driver recruitment and route planning

- 89 In February 2016, after bus operators learned how many routes they had been awarded, some asked for route location details so they could start recruiting drivers.
- 90 Operators typically hold a series of open houses to recruit bus drivers for the coming school year. As part of these open houses, operators share the routes they have been assigned, and interested drivers sign up, indicating which route they would like to drive. Routes are inextricably connected to the recruitment of drivers – drivers often choose their employer based on the route they want to drive. Accordingly, it is important for operators to know which routes they are responsible for, so they can recruit drivers effectively.

Mock routes and spring driver recruitment

- 91 The Toronto Student Transportation Group was well aware of the importance of routes to the driver recruitment process. In March 2016, it issued “mock routes” – generally based on routes from previous years, taking into account the location of driver depots – to help operators during the spring recruitment cycle. This was a new approach. Operators were asked to review the mock routes, and the Transportation Group said it would be “tweaking the route allocations” based on feedback received. All operators we spoke with said they interpreted this to mean the mock routes would reflect the location of the finalized routes and that they could rely on them for driver recruitment. Several operators displayed the mock routes at open houses to help bus drivers determine whether the operators had routes that interested them.
- 92 Based on the feedback received, the Toronto Student Transportation Group made minor changes and reissued the mock routes in April 2016. The Planning Supervisor sent the revised versions to the operators in an email, noting that although not necessarily the “actual routes,” they were “**a good indication**” of the location of the final routes.
- 93 As the spring recruitment process began, the Transportation Group asked operators to maintain and periodically submit lists of drivers who had committed to working for them. Aware of perennial driver shortages and the dynamics of their employment, the Transportation Group intended to cross-check the lists against each other to determine where drivers had made multiple commitments.

Last-minute route changes

- 94 On June 2, 2016, after the Transportation Group had planned bus routes and operators had recruited drivers for those routes, the board of trustees for the Toronto Catholic District School Board voted to stop busing students who did not meet its transportation policy’s eligibility criteria (e.g. they lived too close to school). Because the board had a widespread practice of transporting ineligible students, this decision affected more than 7,000 students and stood to save the board some \$2.85 million per year.
- 95 The Transportation Group was notified of this decision and staff began the process of removing thousands of ineligible riders and adjusting hundreds of affected routes. The changes, which primarily affected big-bus routes, necessitated a complete re-planning and optimization of all routes. We were told this process is painstaking and time-consuming. Moreover, it

needs to be completed three times whenever changes are made – once for each board, and once for all routes. This process sets the baseline for the boards’ cost-sharing methodology.

- 96 However, the trustees’ decision proved to be incredibly unpopular, and in a unanimous vote on June 27, 2016, the board reversed its position. This about-face meant the transportation planning staff had to add all of the removed students back to the computer system and generate new routes, which again had to be optimized three times. The Transportation Group’s General Manager told our Office that this process took over a month, and delayed the finalization and publication of big bus routes until August. Typically, the Transportation Group aims to have routes substantially completed before school lets out in June, so information can be sent home with students’ final report cards.
- 97 This change of heart also resulted in pressure from the Toronto District board on the Transportation Group to cut transportation costs in other ways. Planning staff looked for efficiencies in existing routes, primarily by shortening the break between routes serviced by the same bus. This meant that if a bus were delayed for any reason, the delay might snowball and affect many other students. All of these changes, optimizations, and re-optimizations affected the validity of the mock routes that were issued in March and April 2016 to guide driver recruitment.

Bus operator meeting in August 2016

- 98 With the start of school only a few weeks away, the Transportation Group scheduled a meeting for August 18, 2016, for bus operators to receive their finalized routes. Operators were asked to bring a dispatcher knowledgeable about Toronto geography so they could swap routes if they did not have operational capacity or drivers to service particular routes.
- 99 At the meeting, operators were given hard copies of their routes. We were told that as soon as some operators looked at the routes, it became clear they were different from the mock routes issued in March and April 2016. One operator who had transported students in Toronto for decades told us: “None of the mock routes even remotely showed up in our [final] routes. Everything was just a wholesale change.” That operator immediately recognized the problem this would cause for driver retention and spoke with the Transportation Group’s General Manager. Other operators raised similar concerns, and two days later, the General Manager sent an email to all bus operators to address the complaints and remind them that the mock routes had never been intended to reflect final routes. Operators

were again encouraged to trade routes among themselves. One operator responded to this email expressing skepticism that trading routes would resolve its issues, because entire schools it had expected to service had been assigned to a different operator. In his interview with our Office, the General Manager admitted that the discrepancy between the mock and final routes "...may have led to some issues with drivers."

- 100 In the days that followed, the Transportation Group continued to make changes to the "final" routes that operators were given at the August meeting. These changes were largely to accommodate the hundreds of last-minute transportation requests that are traditionally received in the lead up to the first day of school. However, bus operators said things were different in 2016. The changes were more dramatic and required drivers to pick up students in areas they had not agreed to initially. Some routes became very long, requiring drivers to criss-cross the city each morning and afternoon. Given the propensity of drivers to walk away from routes they were dissatisfied with, the operator was concerned these changes would exacerbate the emerging driver shortage.

The wheels fall off the bus

Too few drivers

- 101 By the last week of August, it was clear to the Transportation Group and bus operators that they might have a problem ensuring every bus route was serviced. The Transportation Group asked operators to provide a list of routes with assigned drivers. Operators responded that **nearly 100 routes** had no driver assigned (i.e. they were "open" routes). After the Transportation Group facilitated route trades amongst operators, this number fell to 60. The General Manager remained concerned and wrote on August 25, 2016, to the operations committee, which includes senior staff from each board, expressing that there might be an issue with some bus operators. That same day, he also wrote directly to senior employees at both boards to alert them that:

It has been a far more stressful and chaotic summer than normal because of the new contract and the late news about the [transportation for non-eligible students] from the Boards...We had our start-up meeting with the carriers and reviewed expectations for the upcoming school year...We've been securing driver lists each week for the last month to gauge how well the carriers have recruited and supported their driver needs. **There is some concern that some**

companies may not be as prepared as they think they are...[emphasis added]

- 102** This email, however, also downplayed the seriousness of the potential problem and contained numerous assurances about the number of drivers and the steps being taken to minimize the consequences of any disruptions. As a result, this warning seems to have had little effect, and officials from both boards later told us they did not appreciate the magnitude of the impending situation.
- 103** Also on August 25, 2016, the General Manager again wrote to bus operators to get detailed information about which bus and driver would service each route. He heard back on August 30 that one operator had 42 open routes. That same day, after learning that a different operator had 16 open routes, the General Manager described the situation as “dire” in an email to the Transportation Group’s senior staff.

Too many changes, impossible routes

- 104** For routes that were assigned drivers, “dry runs” in the week before school revealed logistical problems with the routes as planned. In some cases, the routes took much longer to complete than the Transportation Group estimated, meaning the driver could not pick up or drop off students as scheduled. Drivers were frustrated by what one described as “impossible” routes, as well as the constant changes to planned routes in the week before school began.
- 105** In the days leading up to the start of school, one operator emailed the Transportation Group to complain that routes had changed completely after drivers had selected routes and completed dry runs. These changes had consequences. An operator told our Office about a new driver who, after doing a trial run for a route, accepted the assignment and took possession of a school bus. However, the route subsequently changed drastically. Unhappy with the new route, the driver quit without telling the operator or returning the bus. It took two days and a call from a school principal for the operator to find out that the route had not been serviced on the first two days of school. The operator found out later that the driver went to work for a different operator and had abandoned his bus at a school. When the operator spoke to the driver, the driver explained that his route changed completely so he decided to work for someone else.

What the boards knew

- 106** Aware that driver shortages at several operators would lead to service disruptions at the start of the school year, the Transportation Group's Operations Manager drafted an update for the Toronto District board, indicating that:

...we have been informed by several carriers that there will be driver shortages for the first week of school. We are working closely with those carriers to try and minimize the extent of the problem but **we need to be aware that service could be significantly impacted.**
[emphasis added]

- 107** On August 31, 2016 – about a week before school started –this warning language was shared with the Toronto District board. A substantially softened version of the notice appeared in the Toronto District board's internal staff bulletin on September 6, 2016, the first day of school:

In the first year of the [transportation] contract we will ordinarily experience some growing pains that may manifest as service issues. For one, many of the carriers are starting new routes and some have informed us they **may have driver shortages** for the first week of school...please be aware that **service could be impacted** and we are here to support in any way we can...[emphasis added]

- 108** On September 1, 2016 – the Thursday before the Labour Day long weekend and the start of the school year on Tuesday – the Transportation Group's General Manager emailed transportation officials at each board to advise that some bus operators were "**severely short drivers.**" He said the Transportation Group was working to minimize the gap between routes and drivers, but that "**significant service delivery issues**" should be expected. While the General Manager had previously told the boards about the driver shortage, this was the first time that he indicated it would be severe.

- 109** The Toronto District board did not issue any public communication in response to this warning.

- 110** At the Toronto Catholic District board, its Associate Director emailed a senior colleague about the potential service disruption: "**You need to let everyone know!**" The Toronto Catholic District board's Director of Education asked her staff to work with a communications officer to prepare a statement. However, no communication to parents or staff occurred.

- 111 In late September 2016, in response to our Office's pending investigation, the Associate Director emailed the Transportation Group's General Manager about the implications of an Ombudsman investigation. The email said, in part:
- ...when I responded to [the General Manager's] email on September 1st [...] and I asked [staff] to let everyone know about the potential disruption from the lack of drivers, and the Director asked that a communication be prepared to go out to the schools...why didn't something go out on the Friday? Why did we wait until the 2nd day of school, as did TDSB? Did you tell [board staff] that based on past experience it was covered? This is our only vulnerability?
- 112 According to the information provided to our Office, the Transportation Group's General Manager did not respond to this email.
- 113 No public communication about the anticipated driver shortage and service disruptions was issued by the Transportation Group or either board before school began. According to emails we reviewed, the General Manager was reluctant to refer to a driver shortage and suggested that call centre staff say they were working with operators to "address operational concerns."
- 114 Both boards publicly stated that they did not learn about the driver shortage or the possibility of service disruptions until the school year started. In interviews with our Office and in its letters to parents, the Catholic District board said the Transportation Group told it about the problem on Wednesday, September 7, 2016, while the Toronto District board said it was told on Tuesday, September 6. However, our investigation clearly indicates that both boards were aware of driver shortages and significant service disruptions a week before school began and took almost no action on that information.
- 115 When asked about this, the Catholic District board's Associate Director told our investigators there had been a gap in communication and the board should have alerted parents and other stakeholders when it received information from the Transportation Group in the days before school began. The Toronto District board's Director of Education took a different position, saying that the information he had been provided before school began wasn't concerning enough to justify issuing an alert.
- 116 In the first acknowledgement of responsibility that our Office saw or heard, the Transportation Group's General Manager told our investigators he did not fully recognize the scope of the impending disaster. He explained that

he was not overly concerned with the number of open routes because there were always open routes at the start of the school year. His error, he said, was not taking into account that the routes were concentrated among three operators. The concentration of routes with so few operators made it almost impossible to arrange temporary coverage. However, this explanation is at odds with emails we reviewed, which revealed that the General Manager and his staff were fully aware and concerned that specific operators had high concentrations of open routes – notably the email he sent on August 30, 2016, which described the situation with one operator as “dire.”

Radio silence

- 117 Despite warning signs, the Transportation Group and the boards did not truly appreciate the seriousness of the impending busing disruption. The information that was available about the driver shortage should have led the Transportation Group and the boards to notify otherwise unsuspecting families that they should expect some delays and disruptions. Notification in the week before school began would have given affected parents and school officials some time to arrange alternative transportation and child supervision, as well as ensure they knew to expect severe disruptions.
- 118 Communication between the Transportation Group and the boards must be improved. Each year in early August, the governance committee should meet with the operations committee to discuss transportation readiness and address any outstanding issues. Communications staff from both boards should also be present at this meeting.

Recommendation 3

The Toronto Student Transportation Group’s governance committee should meet with its operations committee in early August every year to discuss transportation readiness and address any outstanding issues. Communications staff from both boards should also be present at this meeting.

- 119 The Transportation Group should also develop a communications protocol that specifies how and when parents, school boards, and other stakeholders will be notified of known or suspected service disruptions. Consideration should be given to when to use social media, news media and automated calling systems to alert stakeholders to the disruptions.

Recommendation 4

The Toronto Student Transportation Group should develop a communication protocol that specifies how and when parents, school boards, and other stakeholders will be notified of known or suspected service disruptions.

- 120** Principals at both boards were largely left to deal with frustrated parents and stranded students without support from board administrators. Many said they were strained by the volume of work and confused about the extent of their communication responsibilities. The boards' policies and the Transportation Group's operation manual provided limited guidance for dealing with this type of situation. During the crisis, the Transportation Group discussed adding another section to its policy regarding principals' communication obligations, but this change was not implemented. To ensure clear communication and division of responsibilities, the Transportation Group should review the operation manual to ensure that the responsibilities of all stakeholders (e.g., board officials, principals, parents, operators) are clearly established. The revised manual should outline clear responsibilities and processes for communicating transportation information and be made publicly available on the websites of the Transportation Group and both boards.
- 121** The revised manual should specifically indicate that schools are responsible for notifying the Transportation Group about the nature of any service disruption affecting them. This would reflect the practice that was put in place informally during the 2016 crisis. School administrators are a reliable and efficient method for determining which bus routes are subject to delays and other issues. In addition, this reporting requirement would allow the Transportation Group to begin working with affected schools immediately to resolve transportation disruptions.

Recommendation 5

The Toronto Student Transportation Group should review its transportation operation manual to ensure that the responsibilities of all stakeholders are clearly established. The revised manual should delineate clear responsibilities and processes for communicating transportation information. The manual should be made publicly available on its website and those of the Toronto District and Toronto Catholic District school boards.

Recommendation 6

The Toronto Student Transportation Group should ensure the revised transportation operation manual requires schools impacted by service disruptions to notify it about the nature of the disruption.

Chaotic Communication and Complaint Handling

- 122** The magnitude of the service disruptions exposed numerous weaknesses in the operators', boards' and Transportation Group's existing processes for communicating delay information to parents, responding to complaints, and investigating reported safety incidents.

Bus operators' communication

- 123** Bus operators failed to communicate timely and accurate information to parents and the Transportation Group as the crisis unfolded.

Updating the delay portal

- 124** The Toronto Student Transportation Group operates a website that allows its staff, parents, and school officials to check on the status of each school bus route. Under their service contracts, operators are responsible for updating this information in a timely manner. During the service disruptions, however, the delay information provided by operators was often inaccurate or out of date. Parents who checked the website had no way of knowing the real status of their child's bus, and Transportation Group staff who relied on this information to monitor bus routes and respond to parent inquiries were left in the dark. Given the importance of accurate delay information, the Toronto Student Transportation Group should monitor operators' compliance with their contractual obligation to notify schools and parents about bus delays and, in accordance with the service contract's provisions that allow for financial penalties, take remedial steps against operators who consistently fail to do so.

Recommendation 7

The Toronto Student Transportation Group should monitor whether operators notify schools and parents about bus delays

and take remedial steps against operators who consistently fail to do so.

- 125** When operators did provide information about bus delays, it was sometimes intentionally inaccurate. In one case, an operator reported buses would be “50 minutes late” when in fact there was no driver to cover the route. We were told that this strategy was used because the website did not provide the option of indicating that a bus would not show up. The Transportation Group repeatedly told operators they were not allowed to officially cancel routes, even when they could not be serviced within a reasonable time period.
- 126** The misinformation about bus schedules was frustrating to parents and school officials. We heard of a school principal who checked the delay website and found that the bus was expected to be 50 minutes late. However, the bus never arrived. Later, the principal wrote to the board to complain that the portal was “very deceiving” and that “it would have been better if [the operator] had simply told us that there was no bus instead of saying that it was delayed.”
- 127** In May 2017, staff at the Toronto District board prepared a report for its Finance, Budget and Enrolment Committee,¹⁶ providing a status update on student transportation generally, as well as outlining the steps taken to ensure a smoother and more effective start to bus service in the upcoming 2017-2018 school year. According to the report, a new online transportation portal has been developed to provide the public with improved access to bus delay information. The report indicated the portal would launch in June 2017. To ensure parents and schools are provided with accurate information, the Toronto Student Transportation Group should ensure this portal allows bus operators to disclose when a bus is unable to service a route on a particular day.

Recommendation 8

The Toronto Student Transportation Group should ensure its new transportation portal allows bus operators to disclose when a bus is unable to service a route on a particular day.

¹⁶ Report to the Finance, Budget and Enrolment Committee, Toronto District School Board (10 May 2017), online:
<<http://www.tdsb.on.ca/Leadership/Boardroom/AgendaMinutes.aspx?Type=A&Folder=Agenda%2f20170510&Filename=170510+Transportation+Contracts+3118.pdf>>.

- 128** Bus operators told us they struggled to get accurate delay information from drivers and that this information was constantly in flux, making it difficult to update the delay website. However, under their service contracts, school buses must be equipped with GPS equipment that allows the Transportation Group and operators to determine its location at all times. The Transportation Group has indicated the GPS system will be fully operational for the 2017-2018 school year, which will allow operators to track the status of their fleets in real time and provide parents and other stakeholders with up to date information.
- 129** Public transit organizations, including the Toronto Transit Commission, commonly use this location information in online applications that can estimate when a bus will arrive at a specific location. The Transportation Group has indicated that it is in the process of providing similar functionality through a “where’s my bus” application. The Toronto Student Transportation Group should expedite this initiative to ensure that information about delayed and no-show buses is shared with parents and school administrators in a timely and accurate manner.

Recommendation 9

The Toronto Student Transportation Group should expedite its initiative of using bus GPS information and software to automatically post real-time and accurate information about delayed and no-show buses on its website.

Overloaded phone lines, inaccurate information

- 130** When parents or school officials tried to call bus operators during the crisis, they were rarely able to speak with anyone and often couldn’t leave messages because voice message boxes were full. Even when bus company staff did answer the phone, the information they provided was often inaccurate. Parents were falsely told that buses were on their way or their children had been dropped off at school or home.
- 131** Our investigation found instances when school officials, faced with safety crises, including missing students, were unable to get through to bus operators to obtain information about the student’s possible whereabouts. The Toronto Student Transportation Group also had difficulty communicating with some of its bus operators by phone, even though each operator was supposed to have a dedicated phone line for this purpose. The Transportation Group’s Operations Manager had to ask senior executives of the bus operators for their mobile phone numbers.

- 132 The lack of accurate information and timely communication made an already frustrating situation worse. Parents, schools, board officials and the Toronto Student Transportation Group should be able to reach bus operators to obtain information and complain about service disruptions. The service contract with each operator requires them to maintain a sufficient number of phone lines and office staff to address inquiries from the public, schools, and families. The Transportation Group must reinforce this expectation with each bus operator and take remedial steps against those that fail to meet it.

Recommendation 10

The Toronto Student Transportation Group should ensure that bus operators comply with the service contract's requirement to maintain a sufficient number of phone lines and office staff to address inquiries from the public, schools, and families.

Toronto Student Transportation Group's call centre

- 133 The Toronto Student Transportation Group operates a call centre, staffed by about 10 contract employees, at the start of each school year – usually from the last week of August until the end of September. In 2016, it was open until mid-October, due to the ongoing transportation disruptions. The call centre responds to questions and complaints from parents and school administrators as everyone becomes accustomed to the bus schedule and routes.
- 134 In the first month of the 2016-2017 school year, the centre was deluged by more than 4,000 calls. The centre and Transportation Group staff received more than 7,500 calls between September and December 2016. Many parents complained to our Office that they were unable to get through to the call centre in September because the lines were constantly busy. According to its statistics, the call centre was only able to answer 54% of calls it received that month. Transportation Group staff told us they couldn't hire additional staff to address the call volume during the transportation disruptions due to office space limitations.
- 135 The Transportation Group is aware call centre staffing was an issue during the crisis. The draft of the September 2016 report prepared for the Toronto District board recommended this be considered in future:

During September [2016] significant communication challenges...occurred. Due to the large volume of disruption in the system the call volume was much higher than expected...In planning for next year, it is imperative that the level of staffing centrally and at all carriers be considered to ensure timely and accurate information is shared.

- 136 In their May 2017 report, Toronto District board staff said the call centre would have additional staffing in the 2017-2018 school year during peak complaint periods. The Transportation Group should ensure its call centre is adequately staffed and resourced to handle the volume of complaints and enquiries received each year. The centre's infrastructure and staff complement should be adaptable to unpredictable and changing complaint volumes.

Recommendation 11

The Toronto Student Transportation Group should ensure that its call centre is adequately staffed and resourced to handle the volume of complaints and enquiries received each year. The centre's infrastructure and staff complement should be adaptable to unpredictable and changing complaint volumes.

- 137 The Transportation Group should also develop call centre policies and procedures that establish minimum service standards for wait and response times. It should also conduct ongoing trends analyses of complaints and inquiries received, in order to address operator service performance issues and identify opportunities for improvements.

Recommendation 12

The Toronto Student Transportation Group should develop call centre policies and procedures that establish minimum service standards for wait and response times.

Recommendation 13

The Toronto Student Transportation Group should conduct ongoing trends analyses of complaints and inquiries received in order to address operator service performance issues and identify opportunities for improvements to processes and communication.

Muddled complaint process

- 138** Our investigation found that during the crisis, many parents and other stakeholders weren't sure where they should address their transportation complaints. Even if they did know who they should contact, their inability to get through to their child's school, the Toronto Student Transportation Group or bus operators forced them to complain to other organizations. As a result, school principals, board officials, bus operators, and Transportation Group staff all received complaints, but had no centralized system to track issues, resolutions, or follow-up. Accordingly, meaningful complaint statistics and trends about the crisis don't exist.
- 139** According to our interviews, the Transportation Group and boards do not have a procedure to provide parents with information proactively about how to obtain bus service information or complain about issues. They should ensure parents know how to access bus service information and complaint procedures prior to the start of each school year. At present, the Transportation Group's website includes electronic pamphlets that, despite some outdated content, provide much of this information and could serve as a model for future communication with parents.¹⁷

Recommendation 14

The Toronto Student Transportation Group, in combination with the Toronto District and Toronto Catholic District school boards, should proactively ensure that parents know how to access bus service information and complaint procedures prior to the start of each school year.

- 140** To ensure complaints are dealt with expeditiously and tracked consistently, the Transportation Group, school boards, and bus operators should jointly devise a school bus transportation complaint procedure. This procedure should include a mechanism for recording and responding to complaints, as well as for escalating serious or unresolved complaints. It should also distinguish between requests for information about bus schedules and

¹⁷ These pamphlets have not been updated to reflect new operators that now provide transportation services to the Toronto boards. "Transportation Brochure", Toronto Student Transportation Group, online: <<https://www.torontoschoolbus.org/wp-content/uploads/2014/05/TransportationBrochure.pdf>> and "Transportation of Students with Special Needs", Toronto Student Transportation Group, online: <<https://www.torontoschoolbus.org/wp-content/uploads/2014/05/TransportationBrochureSpecial.pdf>>.

routes, and complaints about bus service. Parents and other stakeholders should be provided with information about how to access this policy each year.

Recommendation 15

The Toronto Student Transportation Group, in combination with bus operators and the Toronto District and Toronto Catholic District school boards, should create a school bus transportation complaint procedure. The procedure should:

- **create a centralized mechanism for recording and responding to complaints;**
- **include provisions for escalating serious or unresolved complaints; and**
- **distinguish between requests for information about bus schedules and routes, and complaints about bus service.**

Recommendation 16

The Toronto Student Transportation Group should ensure parents and other stakeholders are provided with information about how to access the complaint procedure each year.

Responding to student safety concerns

- 141** The Transportation Group's call centre uses a priority system (high, medium, low) to categorize the urgency of incoming calls. Our Office was not provided with any policy that governs this determination, although during interviews we were told that "anything that has to do with the safety of the children" is given high priority. The call centre has a Safety Officer who investigates safety concerns brought to the Transportation Group's attention and, when incidents occur, ensures that the proper protocols were followed by the bus operator and an incident report documents the safety issue. We were told that the Safety Officer tracks incident reports to determine if drivers or bus operators have multiple safety incidents, in which case the officer can ask the operator to retrain the driver to help ensure safety protocols are followed in future. These steps are not documented in any Transportation Group policy or procedure. Regarding student safety, the manual only contains a general "missing student" protocol that outlines the steps that must be taken to find a student who is reported missing, as well as the reporting requirements for such incidents.

- 142 Given the importance of ensuring student safety, the Transportation Group should ensure that its process for identifying and responding to safety incidents is documented in its policies and procedures. Specific steps for evaluating the adequacy of the bus operator's investigation, incident report, and response should be established, as well as a procedure for following up with and taking remedial steps against operators when these are found to be inadequate.

Recommendation 17

The Toronto Student Transportation Group should establish clear steps for evaluating the adequacy of the bus operator's investigation, incident report, and response to safety incidents.

Recommendation 18

The Toronto Student Transportation Group should follow up with and take remedial steps against operators who fail to adequately investigate, report, and respond to safety incidents.

Recommendation 19

The Toronto Student Transportation Group should document its process for identifying and responding to safety incidents in its policies and procedures.

- 143 The service contracts between bus operators and the boards require that all drivers be trained in school bus safety programs. The agreement sets out the minimum time that drivers must spend in training on various subjects and how frequently they must take refresher courses. Bus operators must provide the boards with the dates and agendas for this training, and board staff have the option to attend the sessions. The service contracts also allow the boards to appoint an independent organization to perform a driver safety audit.
- 144 According to the service contract, one vital aspect of the training – the “Purple Equals Parent” program requirements – lasts 30 minutes and only needs to be provided to new drivers. New drivers must also receive four hours of training on “awareness of sensitivity” for special needs students and accessibility requirements, including the requirement to provide door-to-door transportation for students with special needs.

- 145** Given the severe impact that mistakes can have on student safety, the Toronto Student Transportation Group should ensure future service contracts with bus operators provide drivers with initial and ongoing annual training about each program's procedures and importance. In cases of repeated or egregious errors, the Transportation Group should carefully consider enforcing the contractual penalties (\$2,000 per occurrence) against operators that fail to adhere to the Purple Equals Parent program requirements. The Transportation Group should also consider adding provisions to future service contracts allowing it to penalize operators that contravene the transportation policy for students with special needs, such as the requirement for door-to-door transportation.

Recommendation 20

The Toronto Student Transportation Group should ensure future service contracts require that bus operators provide drivers with both initial and ongoing annual training about the procedures and importance of the "Purple Equals Parent" program and the requirement to provide door-to-door transportation for students with special needs.

Recommendation 21

The Toronto Student Transportation Group should carefully consider enforcing contractual penalties against operators with bus drivers that consistently or egregiously fail to adhere to the "Purple Equals Parent" program requirement.

Recommendation 22

The Toronto Student Transportation Group should consider adding provisions to future service contracts allowing it to penalize operators that contravene the transportation policy for students with special needs, such as the requirement for door-to-door transportation.

Stopgap Solutions

- 146** By the second week of the 2016-2017 school year, the transportation disruptions began to improve for most students. The Transportation Group worked with bus operators over the first weekend to minimize the impact of the driver shortage, parents received communication about the disruptions, and contingency plans were finally developed and in place to supervise stranded students. Some routes were modified to ensure that students were transported to and from school, albeit at inconvenient times. By September 15, 10 days after school began, 1,400 students continued to be affected by service delays, although all routes were serviced (17 buses were scheduled to arrive late in the morning; three left late in the afternoon). These stopgap measures made it possible for students to get to and from school each day while the Transportation Group and bus operators worked to resolve the driver shortage.
- 147** As of January 2017, some **40** routes still did not have permanent drivers. However, all were being serviced by a designated spare driver or taxi, and the Transportation Group's manager told us that no students were negatively affected.

Taxi program

- 148** During the busing crisis, taxis were sometimes hired to fill the gap left by the bus driver shortage. Some bus operators arranged and paid for taxi companies to provide coverage for routes without drivers, especially those servicing students with special needs. The Catholic District board also instituted a taxi voucher program. It distributed approximately 15,000 vouchers to schools to use as a last-resort method of transporting students, although at the time of our interviews, the board did not know how many were ultimately used. In addition, the Toronto Student Transportation Group arranged and paid for taxis for some stranded students requiring immediate assistance.
- 149** In each case, parents needed to approve taxi transportation for their child, and taxis were generally not used for students under nine years of age. Bus operators were also required to notify the student's school when they subcontracted a bus route to taxi drivers. We heard that some parents were uncomfortable having their children transported by a different, unknown taxi driver each time. Others were concerned that taxi drivers lacked the training and knowledge to transport students, especially those with special needs. The Transportation Group told us it relied on bus operators to communicate safety instructions and protocols to taxi

companies, and that it had no mechanism to oversee taxi driver compliance. The expectation is that bus operators will only subcontract routes to taxi companies that are listed as vendors of record with the Toronto boards.

- 150** This lack of oversight is troubling, and our investigation found several instances where student welfare was compromised because taxi drivers failed to follow basic safety measures. One vice-principal reported that a vulnerable student had been left by a taxi driver with a passing adult near the school. In explaining the situation to board staff, the vice-principal wrote:

The taxi pulled over to the side of the street, rolled down the window and asked an adult passing by if they were a teacher at the school and if they could take the student inside. The passerby, who happened to be a teacher, took the student into the school. The student wasn't able to speak his name or indicate where he was supposed to go. The driver left the student with the adult and didn't confirm that the adult was a teacher...[T]his could have been a serious situation.

- 151** Our Office also received a complaint from the mother of a 15-year-old student with physical and intellectual disabilities who was supposed to always be dropped off with a responsible adult. Instead, a taxi driver dropped her off at the back of the school without staff supervision. The bus operator's investigation confirmed that the taxi driver's behaviour was not in accordance with policy and procedure, and the driver was removed from the route.
- 152** There were also issues with late and no-show taxis. We heard of one school where taxis consistently arrived 60 to 90 minutes after the end of classes, requiring three staff members to supervise a group of stranded students.
- 153** The service contracts between the boards and the operators require that operators obtain the board's permission before subcontracting any work, including to taxis. Subcontractors must abide by all terms of the service contract, and operators are responsible if their subcontractor fails to do so. However, there are limited mechanisms that would allow the Transportation Group to verify whether taxi subcontractors are in compliance with the service contract.
- 154** If the Toronto Student Transportation Group and the Toronto boards are going to grant bus operators permission to subcontract routes to taxi drivers, they need to ensure taxi drivers are aware of and comply with

basic safety instructions and protocols contained in the service contract. The Toronto Student Transportation Group should ensure that bus operators who subcontract work to taxi companies comply with the service contract's requirements, including that they provide instruction and training to taxi drivers before they begin picking up students. When deciding whether to approve an operator's request to subcontract work to a taxi, the Transportation Group should ensure the taxi is being used as a last resort and that the same taxi driver will service the route whenever possible.

Recommendation 23

The Toronto Student Transportation Group should ensure that bus operators who subcontract work to taxi companies comply with the service contract's requirements, including that they provide instruction and training to taxi drivers before they begin picking up students.

Recommendation 24

When deciding whether to approve an operator's request to subcontract work to a taxi, the Toronto Student Transportation Group should ensure that the taxi is being used as a last resort and that the same taxi driver will service the route whenever possible.

Route modifications

- 155** In addition to facilitating route trading and redistribution, the Toronto Student Transportation Group modified some open routes (those without drivers), primarily by scheduling buses to take on multiple additional routes. Bus operators, on their own initiative and without notifying the Transportation Group, modified routes in the same way. Doubling up routes in this manner ensured students were transported to and from school, although often at inconvenient times. However, the modified routes created a new set of problems, with students arriving at school very early in the morning and leaving late in the afternoon. The emails our investigators reviewed suggest the Transportation Group and the boards did not check with schools before making these changes to ensure students were supervised before and after school. One principal at an affected Catholic District school wrote on September 12 to express her concerns to senior board and Transportation Group management:

I am beside myself right now! I reviewed the pickup time for the students on [a specific route.] Pickup time starting at 7 a.m. There are many issues with this...Who is to meet the students when they get [to school] before 8 a.m.? Our educational assistant? The teachers? All are unionized. Me? I will do this, but what happens on the days I cannot make it in before the students arrive? I realize that this is temporary – how long?

- 156** In other instances, students were scheduled to arrive substantially after classes began each day. One principal complained to board officials that the first of nine stops on a bus route was scheduled for 8:27 a.m., even though school started at 8:30 a.m. Another principal complained that parents were given little notice of modified pickup and drop-off times that were to go into effect the following day. For many parents, these changes were difficult to accommodate, given their work schedules and other commitments. Similarly, school administrators were left to ensure staff were available to supervise and meet students at new and unexpected times. In the future, the Toronto Student Transportation Group, the Toronto District and Toronto Catholic District school boards should ensure affected schools and parents are provided adequate and reasonable notice before they modify students' pickup or drop-off times.

Recommendation 25

The Toronto Student Transportation Group, the Toronto District, and Toronto Catholic District school boards should ensure that parents and schools are provided adequate and reasonable notice before they modify students' pickup or drop-off times.

Increased hours of student supervision

- 157** By the second day of transportation disruptions, the Toronto District board had determined that extended hours of supervision were required for affected students. In the days that followed, schools were instructed to arrange this, and principals were responsible for finding qualified employees willing to work the hours on short notice.
- 158** The Catholic District board also informed principals that they might need to make arrangements for student supervision before and after school. According to emails we reviewed, it took longer for that board to implement this directive, due to a smaller pool of staff resources.

- 159 Although the transportation disruptions in 2016 were worse than usual, we repeatedly heard that they are a common feature of the back-to-school process. Each school board should proactively develop and implement contingency staffing plans to ensure adequate student supervision if and when transportation disruptions occur. The plans should include clear protocols regarding emergency staff assignments to supervise students stranded as a result of service disruptions.

Recommendation 26

The Toronto District and Toronto Catholic District school boards should proactively develop and implement contingency staffing plans to ensure adequate student supervision if and when transportation disruptions occur. The plans should include clear protocols regarding emergency staff assignments to supervise students stranded as a result of service disruptions.

Driver recruitment and additional bus operators

- 160 Bus operators continued to aggressively recruit drivers in September 2016, but this was offset by ongoing driver attrition. Some drivers quit entirely; others were hired by competing operators. In an email to operators a week into the crisis, the Toronto Student Transportation Group's General Manager asked them to stop hiring drivers away from other carriers until the service disruptions were resolved.
- 161 The Transportation Group also spoke with charter bus operators on its approved vendor list to see if they could service any of the open routes. These operators declined the work after being shown the available routes. The Transportation Group also unsuccessfully approached companies it had worked with in the past, other operators who had expressed interest in doing so, and the one operator whose bid on the 2016 RFP was not successful. However, the Toronto District board's permanent fleet of 13 buses and staff drivers agreed to provide coverage to open routes.

Root of the Crisis

- 162 The busing crisis of fall 2016 was not a discrete event, but a symptom of underlying systemic problems. The two school boards and the Toronto Student Transportation Group sought to identify and address some of these root causes, during and after the disruptions.

Reviews and post mortems

- 163** In an email from the second week of September, the Transportation Group's General Manager laid out different transportation strategies and addressed what could be done to avoid disruptions in future. His email noted that it was "tough to say absolutely" how to prevent the problem from recurring, but said most bus operators and drivers would continue to service the same routes the following year, minimizing the possibility of driver shortages. He also said new software might allow the Transportation Group to complete its planning for special education bus routes sooner, allowing drivers to commit to specific routes earlier in the summer.
- 164** The Transportation Group met with bus operators in December 2016 to better understand the factors that led to the driver shortage. According to the meeting's minutes, participants identified three key factors: Operators were given routes in unexpected geographic areas, routes were frequently changed, and bus drivers were leaving the profession in general. Four strategies were identified to ensure better service in the next school year: Distributing routes earlier, improving communication, imposing a blackout period on changes at the start of the school year, and hosting a workshop for operators.
- 165** The May 2017 report to the Toronto District board identified several factors that led to the transportation disruption, including a provincewide driver shortage, a new service contract with operators that required them to work in new areas, and a delay in assigning routes to operators.
- 166** The report set out the steps taken by the Toronto District board, the Transportation Group, and bus operators to prepare for the 2017-18 school year, including:
- Ongoing meetings with bus operators to discuss concerns, plan for the coming year, and collaborate on improving the transportation system as a whole;
 - Obtaining information about which students require transportation sooner, allowing the Transportation Group to distribute routes to bus operators one month earlier than under the previous process;
 - Requiring weekly updates from operators during the summer about driver coverage for each route;
 - Enhanced call centre staffing during the start of the school year;

- The creation of a transportation portal which will allow parents to receive bus delay updates from operators directly;
- Ensuring that all buses are equipped with GPS to allow operators to track their location in real-time. The Transportation Group is also working on an initiative to provide real-time information about the location and status of individual buses through a “where’s my bus” application;
- Connecting principals from schools that specifically serve students with special needs with bus operators to provide training, advice and insight on their schools’ issues with transportation; and
- Reviewing and updating the Toronto District board’s transportation policy.

167 The report also indicated that the Transportation Group was in the process of obtaining new route planning software, which it expected to increase efficiency and automation. As well, it noted efforts were being made to improve the Transportation Group’s governance structure through increased harmonization between the Toronto boards.

168 An advisory group has been formed to assist in identifying systemic busing issues. This group consists of superintendents, school principals, bus operators, transportation staff, and members with special education expertise. Given the importance of improving communication and consultation on transportation matters, the Transportation Group should ensure that terms of reference are drafted to guide the group’s work and that minutes of its meetings are posted to the Transportation Group’s website.

Recommendation 27

The Toronto Student Transportation Group should draft terms of reference to guide the advisory group’s work.

Recommendation 28

The Toronto Student Transportation Group should post minutes of the advisory group’s meetings on its website.

169 No one we spoke to could provide a full estimate of the total additional expenses associated with the disruption, although the Toronto District board estimates the cost of additional student supervision alone at

approximately \$50,000. After receiving legal advice about these provisions, the Transportation Group's General Manager warned operators in the second week of September about the possibility that penalties and cost recovery might be imposed under service contracts. The Transportation Group told us the boards issued \$264,077 in penalties against bus operators.

Route planning and allocation

- 170 Several decisions by the boards resulted in bus routes – especially big-bus routes – not being finalized until August, substantially after they are usually completed. The biggest of these was the Catholic District board's request to remove (and then re-add) non-qualifying students to its routes. The Toronto District board also directed the Transportation Group to optimize bus routes in an attempt to reduce transportation costs. In the meantime, bus operators recruited drivers based on mock routes that ended up bearing little relationship to the routes they were ultimately assigned. Drivers, who are notoriously picky about the routes they drive, sometimes refused to take the new routes, resulting in confusion and driver shortages that were worse than expected. As well, some of the routes crafted by the Transportation Group were simply impossible to complete in the time allotted, resulting in further disruption and driver attrition.
- 171 To facilitate the timely planning of bus routes, each school board should provide student transportation information to the Transportation Group as early as possible to facilitate an earlier start to the route planning process. To minimize the possibility of transportation disruptions, decisions affecting student transportation should only be made after consulting Transportation Group management regarding the likely impact of the decision. Similarly, requests for route optimizations outside the typical route planning process should be considered and approved by the Transportation Group's governance committee. In turn, that committee should consult with Transportation Group management and both school boards about the impact of the request on route planning, driver retention, and transportation efficiency before making a decision.

Recommendation 29

To minimize the possibility for future transportation disruptions, the Toronto District and Toronto Catholic District school boards should consult with management from the Toronto Student Transportation Group before making decisions affecting student transportation.

Recommendation 30

The Toronto District and Toronto Catholic District school boards should provide student transportation information to the Toronto Student Transportation Group as early as possible to enable an earlier start to the route planning process.

Recommendation 31

The Toronto Student Transportation Group's governance committee should provide prior approval for any requested route optimizations occurring outside the typical route planning process.

Recommendation 32

The Toronto Student Transportation Group's governance committee should consult with Transportation Group and school board management regarding the impact of requested route optimizations before granting approval for the optimization.

- 172** The Transportation Group should also ensure that any mock routes issued to assist operators in early driver recruitment reflect the areas and schools where operators will be assigned routes. To ensure planned routes can be realistically completed in the time allotted, dry runs should be completed under realistic conditions for all routes to confirm they can be completed on schedule (e.g., the bus should stay at each stop long enough to allow students to load/unload, the route should be driven at the scheduled times).

Recommendation 33

The Toronto Student Transportation Group should ensure that any mock routes issued to assist operators in early driver recruitment reflect the areas and schools where operators will be assigned routes.

Recommendation 34

The Toronto Student Transportation Group should ensure that all bus routes can be realistically completed in the time allotted. Dry runs should be completed under expected route and traffic conditions to confirm routes can be completed on schedule.

- 173 In addition, the Transportation Group and the boards should take steps to minimize route changes at the beginning of each school year. The draft of the September 2016 report for the Toronto District board recommended “that a moratorium on route changes be imposed until the end of September to allow time to ensure minimal disruptions throughout the start-up phase.” An official at this board told us a full moratorium might not be realistic, but acknowledged the importance of completing the route planning process as early as possible.
- 174 Even if a full moratorium is not realistic, the Transportation Group can and should develop a policy for student transportation requests that sets out a process and firm deadline. We understand that for the 2017-2018 school year, the Transportation Group set an earlier deadline for submitting student transportation requests, which allowed it to distribute routes to bus operators a month sooner than under the previous process. This new practice should be codified in the Transportation Group’s policy. The policy should also establish clear responsibilities for the Transportation Group, boards and parents, as well as provide for exceptional or compassionate circumstances in which late transportation requests will nonetheless be accommodated.

Recommendation 35

The Toronto Student Transportation Group should develop a comprehensive policy for student transportation requests. The policy should:

- **Set out a process and firm deadline for submitting requests;**
- **Establish clear responsibilities for the Transportation Group, boards, and parents; and**
- **Provide for exceptional or compassionate circumstances in which late transportation requests will be accommodated.**

- 175 In the lead-up to the first day of school, the Transportation Group required bus operators to deal with routes they could not realistically service because they had no drivers willing to take them. Operators were told repeatedly to trade routes amongst themselves to resolve these issues. However, as it became clear that some were facing a significant driver

shortage, the Transportation Group moved away from the route-swapping approach. In the week before the start of school, and more intensely thereafter, it worked with operators to facilitate route trades to ensure that as many routes as possible were serviced. The Transportation Group told us it facilitated at least 40 trades amongst operators to reduce the number of open routes.

- 176** Given the success of this approach, the Transportation Group should consistently take an active role in matching open routes with interested drivers. The Transportation Group, unlike individual operators, can collect and centralize this information, increasing the efficiency of the matching process. It should ensure bus operators are contractually obligated to provide information on open routes to facilitate the matching process for routes that would otherwise not have an assigned driver.

Recommendation 36

The Toronto Student Transportation Group should take an active role matching open routes with drivers interested in those routes.

Recommendation 37

The Toronto Student Transportation Group should ensure bus operators are contractually obligated to provide information about open routes and unassigned drivers to allow it to facilitate the matching process.

Structural flaws

- 177** Another systemic issue that likely contributed to the unco-ordinated and inadequate response by board and Transportation Group officials as the busing crisis unfolded arises from the Toronto Student Transportation Group's organizational structure.
- 178** Although the Transportation Group represents the interests of the two school boards that created it, we found that its bifurcated nature negatively affects transportation planning and administration. Three staff members provide services exclusively to the Transportation Group: A General Manager, Operations Manager, and Planning & Technology Manager. Each school board covers 50% of the costs associated with these positions. The General Manager and Planning & Technology Manager are seconded from the Toronto Catholic District board, while the Operations Manager is from the Toronto District board.

- 179** Transportation Group planners are responsible for designing bus routes. They are from the transportation departments of each board. They remain employees of their respective boards, and their salaries and other employment matters continue to be dealt with by the board that hired them.
- 180** Each board has its own transportation policy, and staff at the Transportation Group generally work in silos to administer them. Toronto District board employees working for the Transportation Group report ultimately to the Operations Manager (who is seconded from that board), while Catholic District board employees report to the Planning & Technology Manager (who is seconded from the Catholic board). Each manager is responsible for dealing with the operations management related to “their” board, including interacting with school principals and superintendents on student transportation issues.
- 181** Transportation Group staff told us this separation of operational and administrative functions has an adverse impact on employee morale, as well as on the group’s efficiency and functioning. For instance, there are differences in pay scales between the two boards, which means staff members performing the same job earn different salaries. We were told that even though Transportation Group staff share the same physical space, they have different telephone and computer systems, complicating communication.
- 182** More generally, we found there is a sense of mistrust within and between the Transportation Group and the school boards. We reviewed emails in which senior staff from both boards, including Directors of Education, expressed concerns about the General Manager’s perceived preferential treatment of students and transportation issues at the other board. On occasion, staff of both boards expressed suspicion that Transportation Group staff were “fixing” financial numbers and reports to make their board pay a larger proportion of the transportation costs. The General Manager was well aware of these concerns, telling our investigators: “It’s funny – both boards think I’m playing for the other board.”
- 183** While the Transportation Group is nominally separate from the school boards, in practice staff members are loyal to their home boards and fail to work together as a unit for the combined benefit of both. This attitude is recognized by the boards, which have established differing reporting and pay structures, as well as separate computer and communication systems. To improve student transportation planning, the Transportation Group and boards should work together to remove barriers that prevent Transportation Group staff from working as a cohesive team. Management

must work to foster a culture of co-operation and consultation amongst staff and ensure they all have access to the same resources and technology. While staff may continue to be administratively employed by one school board, this should have no bearing on their employment responsibilities. The Transportation Group should ensure that these changes are reflected in its policies and procedures.

- 184** The May 2017 report to the Toronto District board said efforts were underway to improve the governance structure of the Transportation Group through “increased harmonization” between the boards. This is an important initiative, as a more cohesive, co-operative, and co-ordinated workplace culture could lead to better planning and communication in future.

Recommendation 38

The Toronto Student Transportation Group and the Toronto District and Toronto Catholic District school boards should work together to remove barriers that prevent Transportation Group staff from working as a cohesive team.

Recommendation 39

The Toronto Student Transportation Group and the Toronto District and Toronto Catholic District school boards should ensure that Transportation Group staff have access to the same resources and technology.

Recommendation 40

The Toronto Student Transportation Group should ensure that staff employment and reporting responsibilities are independent of the school board that administratively employs them.

Recommendation 41

The Toronto Student Transportation Group should modify its policies and procedures to reflect the revised organizational structure and staff employment responsibilities.

Opinion

- 185** In Ontario, hundreds of thousands of students rely on school buses each day of the school year. Buses are an indispensable lifeline for families who would otherwise struggle to get their children to school. The public expects that this service will be safe and reliable, especially since many students who ride school buses are very young or have special needs. At the start of the 2016-2017 school year, severe and persistent transportation disruptions meant that these expectations were not met for thousands of students in the Toronto District and Toronto Catholic District School Boards. Parents scrambled to get children to school after waiting for buses that never arrived, students rode on buses for hours each day, and vulnerable students were placed at risk.
- 186** My investigation found that, far from being unpredictable and beyond the control of the school boards and Toronto Student Transportation Group, the 2016 transportation disruptions were rooted in their actions and inactions before the start of the school year. A combination of factors contributed to the chaos, including:
- A dysfunctional work environment at the Transportation Group;
 - An untested new transportation service contract;
 - A substantial delay in finalizing many bus routes;
 - Inexperienced bus operators;
 - A new method for dividing and assigning routes;
 - Complete changes in the location of routes for returning operators; and
 - Last-minute and wholesale changes to routes.
- 187** Despite being aware of these factors and the possibility of severe service disruptions before school began, the school boards and Transportation Group failed to communicate effectively amongst themselves or to warn parents and school administrators. They approached the issue of school busing with a sense of complacency and were unprepared when the crisis hit.
- 188** My investigation found the response by the boards and Transportation Group to the delays and disruptions at the start of the 2016-2017 school year was haphazard and reactive. Incomplete policies and procedures meant the Transportation Group, boards, operators, and school officials were unsure of their responsibilities during the crisis. Poor communication

meant that parents and school administrators did not know when or if students would be picked up and dropped off each day. The Transportation Group, bus operators, and even school staff were overwhelmed by the volume of complaints and were unable to effectively respond to them. Both boards laboured to implement contingency plans to ensure student safety and supervision because neither board had proactively developed a strategy for large-scale transportation disruptions. Some responses, such as route modifications and the use of taxi subcontractors, caused additional disruption and student safety issues.

- 189** Accordingly, it is my opinion that the Toronto District and Toronto Catholic District School Board's oversight of student transportation and their response to delays and disruptions at the start of the 2016-2017 school year was unreasonable and wrong under the *Ombudsman Act*.
- 190** I am committed to monitoring the efforts of the school boards and the Toronto Student Transportation Group to address my concerns and to ensuring that tangible steps are taken to improve student transportation.

Recommendation 42

The Toronto District and Toronto Catholic District school boards, as well as the Toronto Student Transportation Group, should report back to my Office in six months' time on their progress in implementing my recommendations, and at six-month intervals thereafter until such time as I am satisfied that adequate steps have been taken to address them.

Recommendations

191 Given the results of this investigation, I am making the following recommendations:

- 1. The Toronto Student Transportation Group should ensure future RFPs allow bus operators to bid for specific routes in clear geographic zones.**
- 2. The Toronto Student Transportation Group should consider including language in future RFPs prioritizing operators with experience operating in urban areas and with greater resources.**
- 3. The Toronto Student Transportation Group's governance committee should meet with its operations committee in early August every year to discuss transportation readiness and address any outstanding issues. Communications staff from both boards should also be present at this meeting.**
- 4. The Toronto Student Transportation Group should develop a communication protocol that specifies how and when parents, school boards, and other stakeholders will be notified of known or suspected service disruptions.**
- 5. The Toronto Student Transportation Group should review its transportation operation manual to ensure that the responsibilities of all stakeholders are clearly established. The revised manual should delineate clear responsibilities and processes for communicating transportation information. The manual should be made publicly available on its website and those of the Toronto District and Toronto Catholic District school boards.**
- 6. The Toronto Student Transportation Group should ensure the revised transportation operation manual requires schools impacted by service disruptions to notify it about the nature of the disruption.**
- 7. The Toronto Student Transportation Group should monitor whether operators notify schools and parents about bus delays and take remedial steps against operators who consistently fail to do so.**

8. The Toronto Student Transportation Group should ensure its new transportation portal allows bus operators to disclose when a bus is unable to service a route on a particular day.
9. The Toronto Student Transportation Group should expedite its initiative of using bus GPS information and software to automatically post real-time and accurate information about delayed and no-show buses on its website.
10. The Toronto Student Transportation Group should ensure that bus operators comply with the service contract's requirement to maintain a sufficient number of phone lines and office staff to address inquiries from the public, schools, and families.
11. The Toronto Student Transportation Group should ensure that its call centre is adequately staffed and resourced to handle the volume of complaints and enquiries received each year. The centre's infrastructure and staff complement should be adaptable to unpredictable and changing complaint volumes.
12. The Toronto Student Transportation Group should develop call centre policies and procedures that establish minimum service standards for wait and response times.
13. The Toronto Student Transportation Group should conduct ongoing trends analyses of complaints and inquiries received in order to address operator service performance issues and identify opportunities for improvements to processes and communication.
14. The Toronto Student Transportation Group, in combination with the Toronto District and Toronto Catholic District school boards, should proactively ensure that parents know how to access bus service information and complaint procedures prior to the start of each school year.
15. The Toronto Student Transportation Group, in combination with bus operators and the Toronto District and Toronto Catholic District school boards, should create a school bus transportation complaint procedure. The procedure should:
 - create a centralized mechanism for recording and responding to complaints;

- include provisions for escalating serious or unresolved complaints; and
 - distinguish between requests for information about bus schedules and routes, and complaints about bus service.
16. The Toronto Student Transportation Group should ensure parents and other stakeholders are provided with information about how to access the complaint procedure each year.
17. The Toronto Student Transportation Group should establish clear steps for evaluating the adequacy of the bus operator's investigation, incident report, and response to safety incidents.
18. The Toronto Student Transportation Group should follow up with and take remedial steps against operators who fail to adequately investigate, report, and respond to safety incidents.
19. The Toronto Student Transportation Group should document its process for identifying and responding to safety incidents in its policies and procedures.
20. The Toronto Student Transportation Group should ensure future service contracts require that bus operators provide drivers with both initial and ongoing annual training about the procedures and importance of the "Purple Equals Parent" program and the requirement to provide door-to-door transportation for students with special needs.
21. The Toronto Student Transportation Group should carefully consider enforcing contractual penalties against operators with bus drivers that consistently or egregiously fail to adhere to the "Purple Equals Parent" program requirement.
22. The Toronto Student Transportation Group should consider adding provisions to future service contracts allowing it to penalize operators that contravene the transportation policy for students with special needs, such as the requirement for door-to-door transportation.
23. The Toronto Student Transportation Group should ensure that bus operators who subcontract work to taxi companies comply with the service contract's requirements, including that they

provide instruction and training to taxi drivers before they begin picking up students.

- 24. When deciding whether to approve an operator's request to subcontract work to a taxi, the Toronto Student Transportation Group should ensure that the taxi is being used as a last resort and that the same taxi driver will be service the route whenever possible.**
- 25. The Toronto Student Transportation Group, the Toronto District, and Toronto Catholic District school boards should ensure that parents and schools are provided adequate and reasonable notice before they modify students' pickup or drop-off times.**
- 26. The Toronto District and Toronto Catholic District school boards should proactively develop and implement contingency staffing plans to ensure adequate student supervision if and when transportation disruptions occur. The plans should include clear protocols regarding emergency staff assignments to supervise students stranded as a result of service disruptions.**
- 27. The Toronto Student Transportation Group should draft terms of reference to guide the advisory group's work.**
- 28. The Toronto Student Transportation Group should post minutes of the advisory group's meetings on its website.**
- 29. To minimize the possibility for future transportation disruptions, the Toronto District and Toronto Catholic District school boards should consult with management from the Toronto Student Transportation Group before making decisions affecting student transportation.**
- 30. The Toronto District and Toronto Catholic District school boards should provide student transportation information to the Toronto Student Transportation Group as early as possible to enable an earlier start to the route planning process.**
- 31. The Toronto Student Transportation Group's governance committee should provide prior approval for any requested route optimizations occurring outside the typical route planning process.**

- 32. The Toronto Student Transportation Group's governance committee should consult with Transportation Group and school board management regarding the impact of requested route optimizations before granting approval for the optimization.**
- 33. The Toronto Student Transportation Group should ensure that any mock routes issued to assist operators in early driver recruitment reflect the areas and schools where operators will be assigned routes.**
- 34. The Toronto Student Transportation Group should ensure that all bus routes can be realistically completed in the time allotted. Dry runs should be completed under expected route and traffic conditions to confirm routes can be completed on schedule.**
- 35. The Toronto Student Transportation Group should develop a comprehensive policy for student transportation requests. The policy should:**
 - Set out a process and firm deadline for submitting requests;**
 - Establish clear responsibilities for the Transportation Group, boards, and parents; and**
 - Provide for exceptional or compassionate circumstances in which late transportation requests will be accommodated.**
- 36. The Toronto Student Transportation Group should take an active role matching open routes with drivers interested in those routes.**
- 37. The Toronto Student Transportation Group should ensure bus operators are contractually obligated to provide information about open routes and unassigned drivers to allow it to facilitate the matching process.**
- 38. The Toronto Student Transportation Group and the Toronto District and Toronto Catholic District school boards should work together to remove barriers that prevent Transportation Group staff from working as a cohesive team.**
- 39. The Toronto Student Transportation Group and the Toronto District and Toronto Catholic District school boards should ensure that Transportation Group staff have access to the same resources and technology.**

- 40. The Toronto Student Transportation Group should ensure that staff employment and reporting responsibilities are independent of the school board that administratively employs them.**
- 41. The Toronto Student Transportation Group should modify its policies and procedures to reflect the revised organizational structure and staff employment responsibilities.**
- 42. The Toronto District and Toronto Catholic District school boards, as well as the Toronto Student Transportation Group, should report back to my Office in six months' time on their progress in implementing my recommendations, and at six-month intervals thereafter until such time as I am satisfied that adequate steps have been taken to address them.**

Response

- 192** The Toronto District School Board, Toronto Catholic District School Board, and Toronto Student Transportation Group were each provided with an opportunity to review and respond to my preliminary findings, opinion and recommendations. These organizations provided joint comments through the Transportation Group's Governance Committee, which were taken into consideration in the preparation of my report.
- 193** On behalf of the boards and Transportation Group, the Governance Committee accepted all of my 42 recommendations. The committee acknowledged its duty to provide safe and timely bus service to students, as well as its responsibility to communicate effectively about student transportation disruptions. It also accepted its role in failing to communicate adequately with parents during the 2016-2017 service disruptions.
- 194** The Governance Committee outlined several actions it is taking to implement my recommendations. For instance, its new transportation portal was launched in June 2017. The portal allows parents to receive updates on student transportation, as well as specific information about bus delays affecting their children. In future, parents will be able to track the exact location of their children's buses, and at the start of the 2017-2018 school year, a professional call center will be used to assist in responding to high call volumes. Several other steps have been taken to

improve communication between the boards, the Transportation Group, and bus operators, as well as between bus operators and parents. The Transportation Group is also undergoing a structural review. In addition, the Governance Committee will be taking measures to deal with bus operators who fail to meet contractual obligations. A copy of the committee's response is appended to this report.

- 195** I appreciate the co-operation received from all stakeholders in this investigation, and am encouraged by the Governance Committee's positive reply to my report and its commitment to improving student transportation. The Governance Committee has agreed to provide my Office with semi-annual status updates, and we will monitor its progress in implementing my recommendations.



Paul Dubé
Ombudsman of Ontario

**Appendix: Response from Governance Committee
overseeing the Transportation Group**



Toronto District School Board
Office of the Associate Director
5050 Yonge Street, 5th Floor
Toronto, ON M2N 5N8
Tele: 416-397-3188

30 June 2017

Mr. Paul Dubé
Ombudsman Ontario
483 Bay Street, 10th Floor
South Tower
Toronto, ON M5G 2C9

Dear Mr. Dubé:

On behalf of the Governance Committee overseeing the Toronto Student Transportation Group for the Toronto District School Board and the Toronto Catholic District School Board, we are writing in response to your preliminary report dated May 2017 (Appendix A).

The Governance Committee has reviewed your report in great detail and accepts the recommendations. Staff have already commenced action on a number of improvements as part of our commitment to ensure that future fall start-ups do not experience similar issues. We recognize the responsibility we have to our parents and students for safe and timely service, as well as, ensuring that we have effective communications concerning transportation of students. The September start presented some unique challenges last year that the two school boards did not anticipate, and these issues had significant impact on our students and parents. We accept our role in failing to adequately communicate to parents the service disruption that ensued and have focused our work with operators and the Governance Committee on planning to ensure that the start-up for this coming September is less disruptive and is well communicated. As a Governance Committee, we will have a more active role in the oversight of the consortium.

Some actions that we collectively have already undertaken include:

- A transportation portal was launched in June 2017. Information has been provided to parents in every school and notices were also sent to school office staff. The portal information available to parents will be augmented by a fully integrated “where’s my bus” app in 2018-2019 school year, which will draw GPS data into the app so parents can have instant access to locate their child’s bus on route.
- Regular meetings have occurred between bus operators and both Boards to debrief issues of last year and to plan for operational readiness for the Fall of 2017.
- Additional governance meetings have been held, including two meetings in June 2017 and additional meetings are planned for July and August to update the committee on preparations for the fall start up and discussion of any additional contingencies that maybe required.
- The Governance Committee has directed the operational team to establish weekly conference calls and/or meetings with bus operators throughout the summer and to report back as to operational readiness of the operators, including updates about open routes.
- The Governance Committee has approved the addition of a professional call centre for this year’s bussing start-up in an effort to improve our ability to respond to high call volume from parents.
- The Governance Committee approved a new routing software which will be fully operational for the 2018-2019 school year pending individual Board approval.
- The Governance Committee is undergoing a structural review of the consortium to determine the optimal structure and will put forth recommendations by early 2018.

The Governance Committee takes its role very seriously as the guiding body overseeing Transportation Services on behalf of Toronto District and Toronto Catholic District School Boards. We appreciate the time and care you have taken to provide detailed recommendations for the improvement of services for students and their families in Toronto, and by extension all of Ontario. As you will find in the attached response, we have actioned

many of these recommendations already, and for those we have yet to action we have plans to do so. We hope that all Boards, many of which had similar challenges to the Toronto Boards, benefit from both the recommendations as well our plans to implement initiatives to take action on them.

Sincerely,

Sheila Cary-Meagher
Co-Chair, TSTG
Toronto District School Board

Jo-Ann Davis
Co-Chair, TSTG
Toronto Catholic District School Board

Carla Kisko
Associate Director
Finance and Operations
Toronto District School Board

Angelo Sangiorgio
Associate Director
Planning and Facilities
Toronto Catholic District School Board

Att.

L13(Ombudsman/Trans/Ltr-TSTGCte Response to Ombudsman Preliminary Transportation Rpt - 20 June 2017)

**TSTG Response to the Ombudsman Preliminary Report
Recommendations**

1. The Toronto Student Transportation Group should ensure future RFPs allow bus operators to bid for specific routes in clear geographic zones.

The next RFP will be in 5-7 years (current contract is a 6 year agreement with the possibility of up to two, one year extension. Board agrees that we need to provide closer geographic zones. We are going to work to consolidating programming / rationalizing programs which will lead to more precise zones. We will also aim to complete the RFP further in advance in order to mitigate any complications with its implementation.

2. The Toronto Student Transportation Group should consider including language in future RFPs prioritizing operators with experience operating in urban areas and with greater resources.

It is agreed that there should be increased weighting in the RFP for those with Toronto or related urban experience. While this was in the RFP, the increased weighting for scores will help ensure that this is prioritized more.

3. The Toronto Student Transportation Group's governance committee should meet with its operations committee in early August every year to discuss transportation readiness and address any outstanding issues. Communications staff from both boards should also be present at this meeting.

It is agreed that governance and operations should meet and will meet. Further, the operations committee will also be doing weekly conference calls with carriers leading up to school start up and updating the governance committee. Governance committee will meet in June and August.

4. The Toronto Student Transportation Group should develop a communication protocol that specifies how and when parents, school boards, and other stakeholders will be notified of known or suspected service disruptions.

TSTG will be launching a new Transportation portal in June. Parents will be encouraged to sign up through letters home,

TSTG Response to the Ombudsman Preliminary Report Recommendations

system leader's bulletins to Principals and administrators, letters will go home, the website will provide information and post links to the portal and there will be media alerts. The portal will allow those parents who have signed up to receive updates on student transportation as well as specific updates if their child's bus is experiencing any delays. Both Boards are working together on shared messaging and launch. TSTG will also bring forward the protocol for review to governance and this will be shared through the transportation portal, website and through informing the schools to share with all parents.

5. The Toronto Student Transportation Group should review its transportation operation manual to ensure that the responsibilities of all stakeholders are clearly established. The revised manual should delineate clear responsibilities and processes for communicating transportation information. The manual should be made publically available on its website and those of the Toronto District and Toronto Catholic District school boards.

The operations manual will be reviewed by governance annually. A new Transportation Working Group was recently launched with representatives from both Boards (principals, SO, transportation staff), parent reps, a representative of bus operators and a SEAC representative. At their most recent meeting in May, 2017, the committee reviewed the roles and responsibilities section of the manual. This manual, which is already in place, will continue to be reviewed at every meeting of the Work Group and changes made and brought back to governance. The next meeting of the working group will be in October. The manual is also being updated to reflect any input from the Ombudsman's report. Governance will review the updated manual based on all input in a meeting by the end of 2017 and every year thereafter.

**TSTG Response to the Ombudsman Preliminary Report
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6. The Toronto Student Transportation Group should ensure the revised transportation operation manual requires schools impacted by service disruptions to notify it about the nature of the disruption.

Schools will be encouraged to notify TSTG if they are experiencing delays and how that is impacting them. It will remain the operators' responsibility to notify regarding specific delays to routes and reasons why and update the delay portal in a timely manner. These delays will be fed through the Transportation parent portal so that parents have timely access to any delay information impacting their child. GPS is a new tool that all carriers are mandated to have in place by September 2017 and it can be used to provide specific information on delays.

7. The Toronto Student Transportation Group should monitor whether operators notify schools and parents about bus delays and take remedial steps against operators who consistently fail to do so.

TSTG will continue to monitor whether operators are properly notifying schools and parents about bus delays and keep a log and contact the operator to resolve. When there is an obvious pattern, notifications will go to operators requesting improvement and where that does not work, the contract enforcement mechanisms will be utilized. Future RFPs will also include clearer financial penalties specific to this point. In the interim, where any aspect of the contract is not be complied with, there is the opportunity to change or remove routes from operators.

8. The Toronto Student Transportation Group should ensure its new transportation portal allows bus operators to disclose when a bus is unable to service a route on a particular day.

TSTG maintains that it is the operators' responsibility to ensure that all students are picked up and delivered to their school and to their home. The new Transportation portal will be a means to connect directly with parents, along with website updates and the existing bus operators' obligations to update parents. Where there is any delay, the portal will be updated

**TSTG Response to the Ombudsman Preliminary Report
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accordingly with a range of time expected for the delay. Where there is a significant delay expected, in addition to the portal being updated, the parents will also receive calls from the operator as per their contractual obligations.

9. The Toronto Student Transportation Group should expedite its initiative of using bus GPS information and software to automatically post real-time and accurate information about delayed and no-show buses on its website.

There are some steps that need to happen before the integrated GPS "where's my bus" type application can be utilized along with the Transportation Portal. The first step is a new software. TSTG is now at the proof of concept stage with a vendor and is looking to launch the new system in parallel with the existing system in January, 2018 with a full launch in September 2018. Efforts are being made to expedite the GPS portion for parents in the 2018-2019 school year. Currently, operators can use GPS to see delays and update the delay portal. In the coming school year, TSTG staff will also have access to the GPS portion.

10. The Toronto Student Transportation Group should ensure that bus operators comply with the service contract's requirement to maintain a sufficient number of phone lines and office staff to address inquiries from the public, schools, and families.

A meeting was held with representatives of both Boards and the bus operators on June 8, 2017. At that meeting, operators were asked to confirm that they have sufficient phone and office resources to meet the demands of the coming start up. All operators were present in the meeting and all indicated that they now feel fully prepared to meet the demands of start-up. Both Boards will be working with the operators at their regular bus operator meetings to update preparation. Both Boards expect, and will monitor, that it will be staffed sufficiently. If there are breaches, these will be tracked and may impact routes that they serve.

**TSTG Response to the Ombudsman Preliminary Report
Recommendations**

11. The Toronto Student Transportation Group should ensure that its call centre is adequately staffed and resourced to handle the volume of complaints and enquiries received each year. The centre's infrastructure and staff complement should be adaptable to unpredictable and changing complaint volumes.

For the first time, a professional call centre will be used, as approved by governance. The Call Centre will have the capacity to handle call volumes and escalate issues to staff as necessary. Service standards will be agreed upon by both Boards in the contract phase and shared.

12. The Toronto Student Transportation Group should develop call centre policies and procedures that establish minimum service standards for wait and response times.

We agree. Will establish service standards with input from other consortia and implement by September 2017, with an aim to be a best practice leader in the service standards and timelines within the province.

13. The Toronto Student Transportation Group should conduct ongoing trends analyses of complaints and inquiries received in order to address operator service performance issues and identify opportunities for improvements to processes and communication.

The complaints and inquiries have now been added to existing KPI's that are currently collected. These will be included for information at every governance committee information package. Where trends exist, the contract provisions regarding non-performance will be discussed and implemented.

14. The Toronto Student Transportation Group, in combination with the Toronto District and Toronto Catholic District school boards, should proactively ensure that parents know how to access bus service information and complaint procedures prior to the start of each school year.

Currently send out communication packages to all schools. Will augment this by provided letter in knapsacks and will be sent to parents who sign up on new transportation portal, as

**TSTG Response to the Ombudsman Preliminary Report
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well as on the website. Included in the information will be a complaint procedure, along with a revised communication package with input from both Boards.

15. The Toronto Student Transportation Group, in combination with bus operators and the Toronto District and Toronto Catholic District school boards, should create a school bus transportation complaint procedure, The procedure should:

- create a centralized mechanism for recording and responding to complaints;
- include provisions for escalating serious or unresolved complaints; and
- distinguish between requests for information about bus schedules and routes, and complaints about bus service.

School bus transportation procedure will be updated to fully implement these recommendations. TSTG currently maintains an issue tracking application and will add additional functionality to comply with the recommendation. A formal complaint procedure will be developed and brought back to governance and the transportation portal, website and letters to families will also provide access to this information.

16. The Toronto Student Transportation Group should ensure parents and other stakeholders are provided with information about how to access the complaint procedure each year.

As per above (14 and 15) this will be implemented and distributed accordingly.

17. The Toronto Student Transportation Group should establish clear steps for evaluating the adequacy of the bus operator's investigation, incident report, and response to safety incidents.

The TSTG currently employs a Transportation Safety Officer who is already tasked with the oversight of safety measures. Will look to clarify and ensure these items are included as part of our normal accident review process.

**TSTG Response to the Ombudsman Preliminary Report
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18. The Toronto Student Transportation Group should follow up with and take remedial steps against operators who fail to adequately investigate, report, and respond to safety incidents.

We will ensure bus operators are required to follow requirements. We will monitor failure to adequately investigate, report, and respond to safety incidents, and ensure they are penalized in accordance with contract, such as serving notice for loss of routes.

19. The Toronto Student Transportation Group should document its process for identifying and responding to safety incidents in its policies and procedures.

These procedures exist and have been updated November, 2016 and have been added to the operations manual in May, 2017 and will be shared with governance.

20. The Toronto Student Transportation Group should ensure future service contracts require that bus operators provide drivers with both initial and ongoing annual training about the procedures and importance of the “Purple Equals Parent” program and the requirement to provide door-to-door transportation for students with special needs.

This is in the current contract and part of annual training and we will work with the operators to ensure that this is even more robust. We will also be asking operators to put notifications in buses (if this is not acceptable, then in their manuals) reminding re: purple equals parent.

21. The Toronto Student Transportation Group should carefully consider enforcing contractual penalties against operators with bus drivers that consistently or egregiously fail to adhere to the “Purple Equals Parent” program requirement.

Carriers are required to comply. We investigate any issue where this transpires and where determined problem is driver’s responsibility we will be seeking remediation based on

**TSTG Response to the Ombudsman Preliminary Report
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level of culpability, will enforce penalties including loss of routes or removal of driver from route or company.

22. The Toronto Student Transportation Group should consider adding provisions to future service contracts allowing it to penalize operators that contravene the transportation policy for students with special needs, such as the requirement for door-to-door transportation.

This will be added to next contract based on legal and procurement input and we will also use existing levers of contract to implement to operators.

23. The Toronto Student Transportation Group should ensure that bus operators who subcontract work to taxi companies comply with the service contract's requirements, including that they provide instruction and training to taxi drivers before they begin picking up students.

TSTG requires operators to confirm that they are aware of the conditions placed upon them contractually when subcontracting. Part of that is to only use vendors of record, who are screened through the vendor recruitment process. TSTG will also provide training materials to vendors to share with their drivers and have taxi operators sign off that they will implement this.

24. When deciding whether to approve an operator's request to subcontract work to a taxi, the Toronto Student Transportation Group should ensure that the taxi is being used as a last resort and that the same taxi driver will service the route whenever possible.

This is consistent with current expectations though TSTG will also send a letter reinforcing this expectation and will also include more robust language in future RFPs that it is our expectation that taxis are used as a last resort.

**TSTG Response to the Ombudsman Preliminary Report
Recommendations**

25. The Toronto Student Transportation Group, the Toronto District, and the Toronto Catholic District school boards should ensure that parents and schools are provided adequate and reasonable notice before they modify students' pickup or drop-off times.

Current standard turnaround time is 72 hours from the time application is received until it is put on the road. This is marginally longer in Sept when set dates are used to minimize disruption to routes. The consortium informs schools/operators and they inform parents. Parents are informed by the end of school day prior to the service starting. Efforts will be made to provide greater notice where possible.

26. The Toronto District and Toronto Catholic District school boards should proactively develop and implement contingency staffing plans to ensure adequate student supervision if and when transportation disruptions occur. The plans should include clear protocols regarding emergency staff assignments to supervise students stranded as a result of service disruptions.

Board contingency program was developed in September 2016 and will continue for every school start up and all principals will be notified prior to school start up each year. The program provides lists of staff who are available for short term relief where additional supervision is required and notices go out to schools as to how to get reimbursed for these additional costs. In the 2016 start-up, these additional costs were approximately \$50,000 in additional staffing.

27. The Toronto Student Transportation Group should draft terms of reference to guide the advisory group's work.

This has been completed at May 2017 Transportation Work Group.

28. The Toronto Student Transportation Group should post minutes of the advisory group's meetings on its website.

Once approved by the committee, they will be posted on the TSTG website and website of both Boards.

**TSTG Response to the Ombudsman Preliminary Report
Recommendations**

29. To minimize the possibility for future transportation disruptions, the Toronto District and Toronto Catholic District school boards should consult with management from the Toronto Student Transportation Group before making decisions affecting student transportation.

Consultation to take place with TSTG and then GM to meet with governance to discuss how these changes will impact on operations. Governance committee will discuss creating program change deadlines for significant program changes.

30. The Toronto District and Toronto Catholic District school boards should provide student transportation information to the Toronto Student Transportation Group as early as possible to enable an earlier start to the route planning process.

Both boards have implemented new timelines for data verification forms and routes will be issued to companies 3 weeks earlier than past years. Operators indicated that this will be a significant improvement for them at the June 8, 2017 operator meeting.

31. The Toronto Student Transportation Group's governance committee should provide prior approval for any requested route optimizations occurring outside the typical route planning process.

Any significant changes to optimization implementation will be approved by governance.

32. The Toronto Student Transportation Group's governance committee should consult with Transportation Group and school board management regarding the impact of requested route optimizations before granting approval for the optimization.

Agreed.

33. The Toronto Student Transportation Group should ensure that any mock routes issued to assist operators in early driver recruitment reflect the areas and schools where operators will be assigned routes.

**TSTG Response to the Ombudsman Preliminary Report
Recommendations**

Measures have been taken to provide final routes earlier and therefore will not need to provide mock routes. Mock routes were done due to the new RFP and this will not be an annual process and will review and improve for next RFP process to narrow down geographical zones to provide greater focus on the area in any future RFP.

34. The Toronto Student Transportation Group should ensure that all bus routes can be realistically completed in the time allotted. Dry runs should be completed under expected route and traffic conditions to confirm routes can be completed on schedule.

We agree. Requirement is to do dry runs. Going forward we will follow up in a more timely manner prior to school start up to ensure dry runs have been completed and report back to governance that this has been done and that operators are in compliance.

35. The Toronto Student Transportation Group should develop a comprehensive policy for student transportation requests. The policy should:

- Set out a process and firm deadline for submitting requests;
- Establish clear responsibilities for the Transportation Group, boards, and parents; and
- Provide for exceptional or compassionate circumstances in which late transportation requests will be accommodated.

Governance committee will set out guidelines for when and how requests will be approved and that will also outline the responsibilities for all parties. The Boards will make the final approval of their own policies and will incorporate the requisite accommodation requirements as per best practice and case law.

36. The Toronto Student Transportation Group should take an active role matching open routes with drivers interested in those routes.

At the weekly operator conference calls in the summer, TSTG will be actively determining if any operator is having a

**TSTG Response to the Ombudsman Preliminary Report
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challenge meeting their obligations and where bus operators are having any difficulty, TSTG will work with operators to match. Board, through TSTG has also worked closely with the operators to provide job fair venues for recruitment over the summer through the Employment Ontario network of employment assisted services.

37. The Toronto Student Transportation Group should ensure bus operators are contractually obligated to provide information about open routes and unassigned drivers to allow it to facilitate the matching process.

Operators provide weekly updates and they will report on in house staff, training program, drivers and spares and any uncovered routes

38. The Toronto Student Transportation Group and the Toronto District and Toronto Catholic District school boards should work together to remove barriers that prevent Transportation Group staff from working as a cohesive team.

Governance committee is reviewing organizational models that will best work for the team and also working closely on teambuilding and engaging the team.

39. The Toronto Student Transportation Group and the Toronto District and Toronto Catholic District school boards should ensure that Transportation Group staff have access to the same resources and technology.

A new call centre is being implemented. A new software is in the process of being selected and governance will ask in each annual plan for a list of any needed resources in order to fulfill its mandate. The TSTG has sent a letter to the Ministry requesting financial support for the software

**TSTG Response to the Ombudsman Preliminary Report
Recommendations**

40. The Toronto Student Transportation Group should ensure that staff employment and reporting responsibilities are independent of the school board that administratively employs them.


Governance committee is reviewing organizational models to ensure a better structure to meet the needs of the service that is offered.

41. The Toronto Student Transportation Group should modify its policies and procedures to reflect the revised organizational structure and staff employment responsibilities.

Governance committee is reviewing organizational models.

42. The Toronto District and Toronto Catholic District school boards, as well as the Toronto Student Transportation Group, should report back to my Office in six months' time on their progress in implementing my recommendations, and at six-month intervals thereafter until such time as I am satisfied that adequate steps have been taken to address them.

Agree.



THE ROUTE OF THE PROBLEM



ONTARIO'S WATCHDOG

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Enterprise Risk Management (ERM) Implementation Status Update

To: Audit Committee

Date: 22 March, 2021

Report No.: 03-21-4052

Strategic Directions

- Transform Student Learning
- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students
- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the Enterprise Risk Management (ERM) Implementation Status Update be received.

Context

On June 22, 2020 staff introduced the ERM implementation project to help streamline and centralize the risk management processes of the TDSB. The Insurance and Enterprise Risk department will coordinate with the management team and risk owners, in identifying, assessing, controlling and monitoring key risks affecting the Board. An implementation plan is enclosed in Appendix B.

Below are three key updates since the last report:

- Following an extensive search, staff are currently finalizing the hiring of the Assistant Manager, Insurance and Enterprise Risk. The candidate is expected to start in April 2021 and will actively participate in the management of the ERM project.

- An ERM Committee (ERMC) is being created. The ERMC will consist of internal department representatives who will provide input on behalf of their corresponding function areas. The ERMC structure, mandate, responsibilities and workplan will be shared at the June 2021 Audit Committee meeting.
- The Enterprise Risk Management Policy and Enterprise Risk Management Procedure is currently in the planning and development stage and will be introduced at the September 2021 Governance and Policy Committee.

Implementation Plan and Associated Timeline

As stated in the June 2020 update, the reported implementation timelines were subject to change given the pandemic and delays in hiring for the Assistant Manager position. Staff will continue to update the Audit Committee on the work progress, as summarized in Appendix B: Enterprise Risk Management Implementation Plan. TDSB is currently in the early stages of the multi-year ERM implementation and this initiative is expected to reach its final level of maturity by 2024 or 2025.

Resource Implications

Not Applicable

Communications Considerations

Not Applicable

Board Policy and Procedure Reference(s)

Not Applicable.

Appendices

- Appendix A: Enterprise Risk Management Presentation
- Appendix B: Enterprise Risk Management - Implementation Plan

From

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TDSB Enterprise Risk Management

Audit Committee – March 2021



What is Enterprise Risk Management (ERM)?

Now, more than ever, management boards and executive teams seek to have a greater awareness of the risks impacting their organizations, in particular, their strategic goals and objectives.

ERM is an integrated enterprise-wide process established over time, which links the management of risk to strategic objectives in order to improve organizational decision making and performance. It creates a formal process for managing the myriad of risks an organization faces.

ERM frameworks are rapidly being incorporated into organizational decision making to address the uncertainty of risks in all areas of the organization.

ERM Alignment

Strategic Directions

- Transform Student Learning
- Create a Culture for Student and Staff Wellbeing
- Provide Equity of Access to Learning Opportunities for All Students
- Allocate Human and Financial Resources
- Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Wellbeing

Objectives

Implicit and explicit goals/objectives that TDSB is trying to achieve. These can include (for example) strategic/reputational, financial, human resource objectives.

Categories of Risk

Categories are used to allocate each risk to one (most applicable) Category based on the most applicable “cause” of that risk. Only one Category is to be applied to each risk.

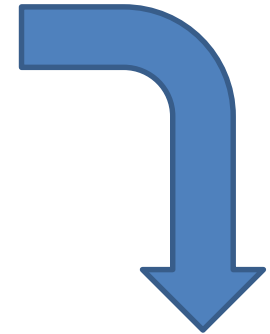
Risk

“Effect of uncertainty on TDSB Objectives”. The uncertainty could have a positive or negative consequence. It is measured by impact and likelihood.



Risk Tolerance

Maximum amount of residual risk that is considered acceptable to the TDSB.
Acceptable risk may be higher at the corporate level than at the department level.



Risk Rating Example	Inherent Risk		Risk Control Options		Residual Risk
High	Risk 1	→	Prevent, Reduce, Transfer	→	Medium
Medium	Risk 2	→	Prevent, Reduce, Transfer	→	Low



Risk Measurement

Impact / Consequence

Result or effect on outcomes from realization of a risk.

There may be a range of possible impacts associated with an event.

Impact Categories	Agenda Insignificant - 1	Page 249 Minor - 2	Moderate - 3	Major - 4	Catastrophic ⁵
Financial Risk	Financial impact of is less than \$X threshold	Financial impact is between \$X to \$X threshold	Financial impact is between \$X to \$X threshold	Financial impact is between \$X to \$X threshold	Financial impact of is above \$X threshold
Legal, Governance & Compliance Risk	Legal action threatened No regulatory/legal consequence or injury risk. Outcomes remain within risk tolerances.	Civil action commenced / small fine assessed Limited regulatory/legal consequence and minor reversible injury risk. Potential outcomes remain within risk tolerances.	Criminal action threatened / moderate fine assessed Significant regulatory/legal consequence and major reversible injury risk. Potential outcomes may or may not remain within risk tolerances.	Criminal lawsuit commenced / significant fine assessed Substantial regulatory/legal consequence and irreversible injury or death risk. Potential outcomes are outside risk tolerances.	Criminal offence/ penalties for the Board Substantial regulatory/legal consequence and irreversible multiple injury or death risk. Potential outcomes are highly unacceptable
Operational Risk	Able to deliver its academic programs and services with no disruption. Potential outcomes remain within risk tolerances.	Able to deliver its academic programs and services with limited disruption. Potential outcomes remain within risk tolerances.	Able to deliver its academic programs and services with significant disruption. Potential outcomes may not remain within risk tolerances	Unable to deliver significant aspects of its academic programs and services. Potential outcomes are outside risk tolerances.	Unable to deliver its academic programs and services. Potential outcomes are highly unacceptable
Educational or Student Outcome Risk	Immaterial impact on student achievement	Student achievement metrics begin to show a decline	Parent's complain about student achievement	Overall student competency levels are below standards	Inability to satisfactorily deliver curriculum or key programs
Strategic and Reputational Risk	One negative article in one publication	Negative articles in more than one publication	Short term negative media focus and concerns raised by stakeholders	Long term negative media focus and sustained concerns raised by stakeholders	Stakeholders lose faith in management or Trustees

Risk Measurement

Likelihood (Probability)

Probability that a risk will occur (or fail to occur), and/or the frequency of occurrence of the risk event

Heat Map					
5 Almost Certain	5	10	15	20	25
4 Likely	4	8	12	16	20
3 Moderate	3	6	9	12	15
2 Unlikely	2	2	6	8	10
1 Rare	1	2	3	4	5
Likelihood Impact	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic

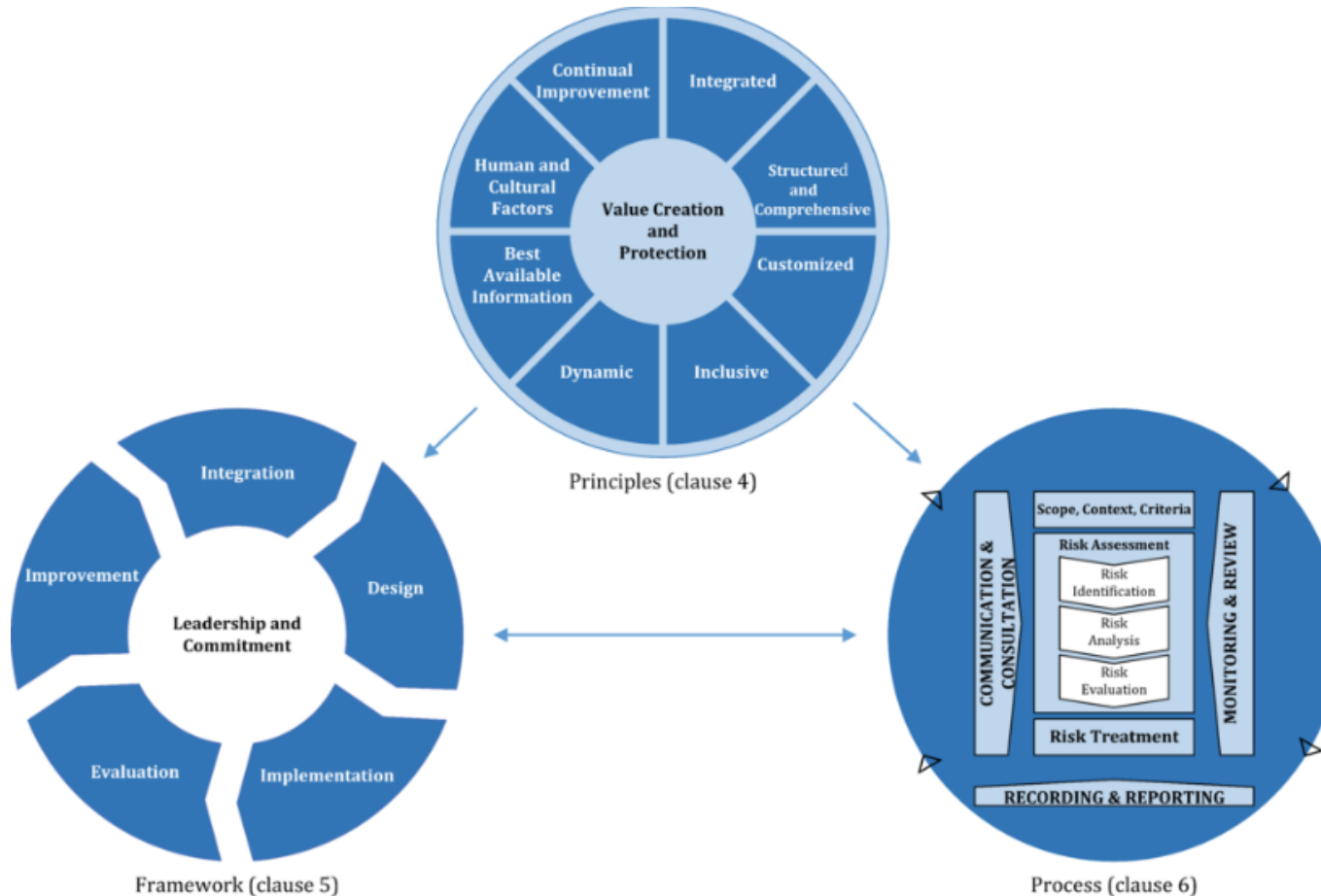
Rare - 1	Unlikely - 2	Moderate - 3	Likely - 4	Almost Certain
Extremely rare	Has happened already occasionally	Periodic occurrence	Frequent occurrence and could occur again	Very frequent occurrence. Extremely likely to reoccur

Sample Risk Register

A sample Risk Register outlined below includes one COVID-19 related risk and consideration may be given to creating an exclusive broader COVID-19 risk assessment related to all TDSB operations. The Risk Register aims to align risks to the five goals outlined in the Multi-year Strategic Plan.

KEY Goals	Category	Risks	Description of Risks	Reference to Multi Year Strategic Plan	Likelihood Rating	Impact Rating	Inherent Risk Score	Controls	Residual Risk Rating	Residual Risk	Mitigation Strategy	Risk Owner
ID's Key Goal of Multi Year Plan	Identifies the Impact Category	Most applicable "cause" of the risk. Examples include: Equity & Inclusion, Student Well-Being, Engagement & Learning, Health & Safety, Allocation of Financial Resources, etc.	Description of risks which may impede completion of key goals as well as events that may impact service delivery.	Reference to page # and applicable section of the Multi-Year Strategic Plan.	Risk rating of probability 1 – 5	Risk rating of potential impact 1 – 5	Likelihood X Impact Ratings	Policies, Procedures, Protocols Guidelines, Monitoring Mechanism and processes that contribute to the control environment of the item being examined. Internal Audit to assist in control effectiveness for input into a Controls Score.	Inherent Risk Score Less Controls Score (#)	Statement of Residual Risk Rating score with respect to TDSB Risk Appetite. Green & Yellow items are within the risk appetite and will be monitored. Orange & Red items are to be reported to Audit Committee.	Document mitigation strategy for orange & red items.	Title of Risk Owner i.e. Associate Director, SOE etc.
5	Operational Risk	Health & Safety	Operational risks resulting from COVID-19, including the need for additional personnel and financial resources to provide improved levels of cleanliness and maintenance as well as limitations on attendance.	Page 34-38: Create a Culture for Student and Staff Well-Being	4 – Likely	3 - Moderate	12	Policies and procedures such as, Green Cleaning and Enhanced Daily Cleaning. Controls reduce the inherent risk to a level 9 rating	9	Within TDSB Risk Appetite, risk is being monitored		Associate Director Business Operations and Executive Officer of Facility Services

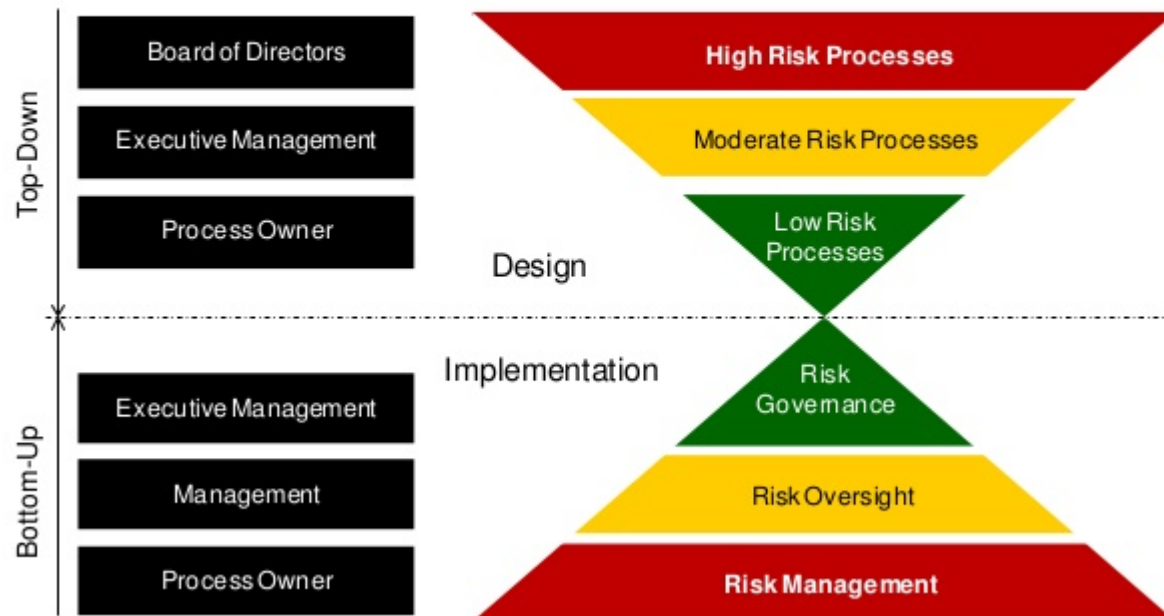
The Guideline – ISO31000-2018



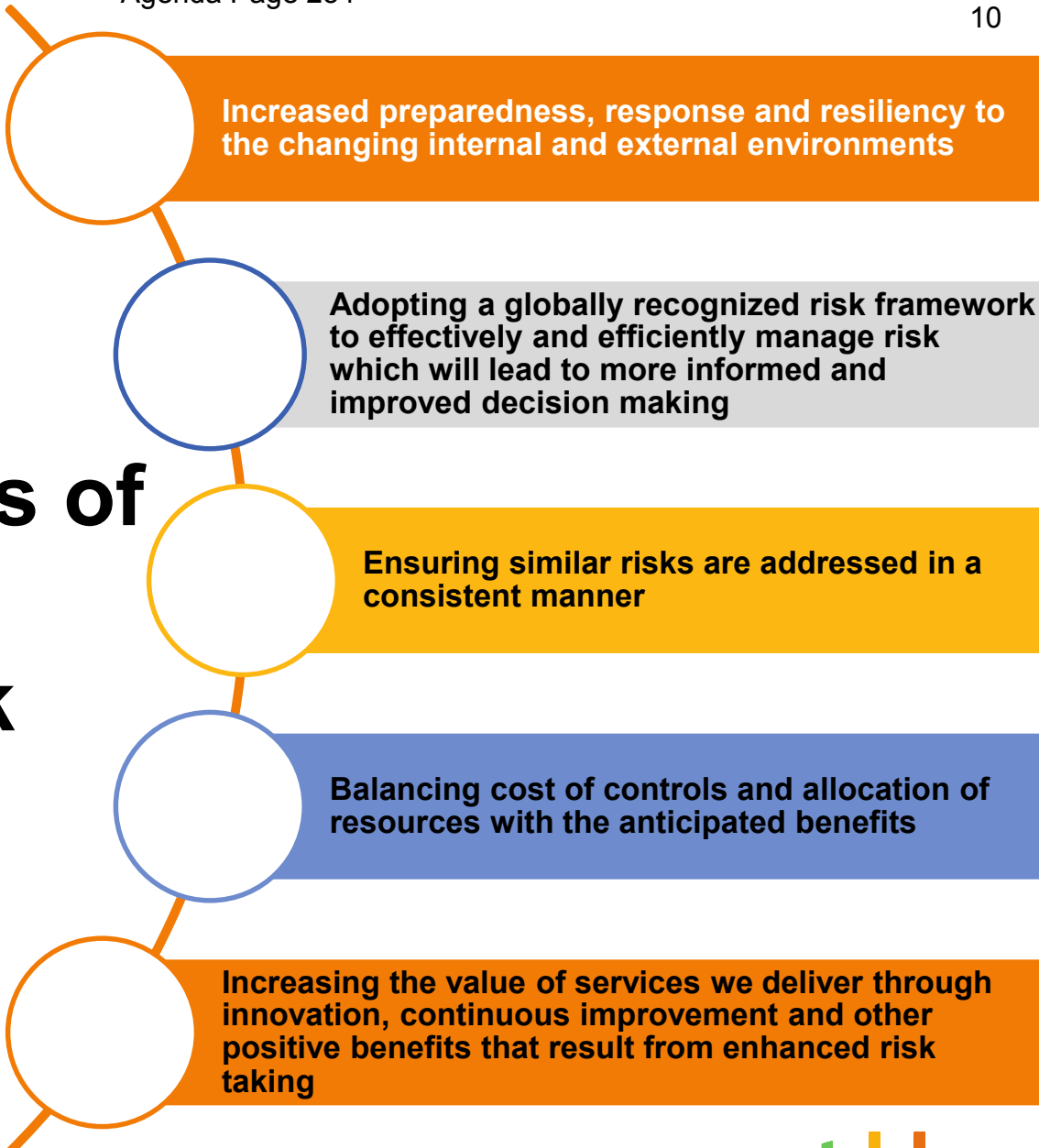
Mandate and Commitment

- Board of Trustees
- Audit & Risk Management Committee
- Executive Team

Top-Down Bottom-Up Risk Based Approach



Key outcomes of the ERM framework Include:



Increased preparedness, response and resiliency to the changing internal and external environments

Adopting a globally recognized risk framework to effectively and efficiently manage risk which will lead to more informed and improved decision making

Ensuring similar risks are addressed in a consistent manner

Balancing cost of controls and allocation of resources with the anticipated benefits

Increasing the value of services we deliver through innovation, continuous improvement and other positive benefits that result from enhanced risk taking

ERM and Internal Audit

The Three Lines of Defence Model, identifies the important independent role that Internal Audit performs with the ERM process.

1st line Business units

- Involved in day-to-day risk management
- Follow a risk process
- Apply internal controls and risk responses

2nd line Risk and compliance

- Oversee and challenge risk management
- Provide guidance and direction
- Develop risk management framework

3rd line Audit

- Review 1st and 2nd lines
- Provide an independent perspective and challenge the process
- Objective and offer assurance



Appendix B: Enterprise Risk Management Implementation Plan

As of March 22, 2021

Phase 1		Initiated	Ongoing	Completed
Phase 1 will focus on ERM framework development				
TDSB Insurance and Risk Management department assigned ERM portfolio and implementation ownership. Name change to Insurance and Enterprise Risk				✓
ERM Introduction presentations to Executive team, Board/Trustees and Audit				✓
Draft: Risk Categories, Risk Levels, Risk Register, Heat Map, Definitions presented to Executive team and Audit				✓
Confirmed selection of globally accepted ERM Framework: ISO 31000:2018 Risk Management-Guidelines				✓
Establish an ERM Committee (ERMC), confirm mandate, roles, responsibilities and deliverables		✓		
Hiring Assistant Manager, Enterprise Risk			✓	
ERM introduction to TDSB departments, including introducing a risk assessment tool		✓		
Initiate development of ERM Policy and Procedure at Governance and Policy Committee in September			✓	
Finalize Risk Categories selection and Risk Categories, Risk Levels, Risk Register, Heat Map, Definitions			✓	
Approve interim Risk Register tool		✓		
Review and revise Phase 2 and 3 implementation			✓	
Confirmation of ERM monitoring and reporting frequency to executive and Audit			✓	
Confirm internal versus retaining external consultant for risk identification session for 2022 and schedule date.		✓		
Phase 2		Initiated	Ongoing	Completed
Phase 2 will focus on risk identification, including identification of risks, risk owners, and risk controls.				
Identify and confirm key TDSB objectives using the Multi-Year Strategic Plan to facilitate the risk identification and assessment processes.				
Conduct high level (executive level) stakeholder survey to create a list of risks, with assigned risk owners who are responsible for those risks.				
Conduct risk survey of Audit/Board				
Facilitation session #1: Complete a facilitation session to identify, prioritise and rate TDSB risks.				
Coordinate interviews with management and risk owners to identify risks in each department or operational area, and to document existing mitigating controls in place. The Insurance and Enterprise Risk department will collaborate with risk owners, to carry out the preliminary self-assessment and to determine the risk level based on the impact and likelihood scale.				
Finalize risk profile (compilation of all risks, prioritized and defined)				

ERMC to finalize and deliver a completed Risk Register to Executive team			
Present Risk Register to Audit. Receive final approval on presentation and reporting frequency.			
Initiate discussions and procurement of ERM application to record and report on ERM			
Finalize and approve ERM Policy and Procedure			
Incorporation of ERM into strategy and objective planning			
Initiate integration of ERM program into TDSB policy, projects, and reporting			
Phase 3 Phase 3 will focus on increasing maturity level of ERM program, including, monitoring and reporting	Initiated	Ongoing	Completed
Set monitoring schedule with risk owners to report on risk levels, controls and emerging risks			
Selection of ERM application			
ERM Application implementation start and final release date			
Release ERM application reporting dashboard report			
Provide ERM application training sessions for TDSB departments			
TDSB Financial Report - Audit: incorporate ERM reporting into Report			
ERM training module creation			
Facilitation session #2			



New Student Information System (SIS) Project Update

To: Audit Committee

Date: 22 March, 2021

Report No.: 03-21-4053

Strategic Directions

- Allocate Human and Financial Resources Strategically to Support Student Needs

Recommendation

It is recommended that new Student Information System (SIS) update be received.

Context

The Student Information System (SIS), also known as Trillium, is a critical system of record for the collection, recording, validation and reporting of student registration, achievement and attendance data. The SIS supports the Ministry reporting process (ONSIS) that drives the operational funding TDSB receives from the Ministry.

In July 2019, PowerSchool, the Trillium vendor, informed Ontario school boards of their intent to 'sunset' the Trillium product. PowerSchool provided an upgrade path for Ontario districts to migrate from the legacy Trillium to the new PowerSchool SIS platform. The new PowerSchool SIS was evaluated by TDSB stakeholders and ranked highest among market competitors. The PowerSchool SIS was selected to replace Trillium and the budget was approved in May 2020 to migrate TDSB from the legacy Trillium SIS to the new PowerSchool SIS.

Action Plan and Associated Timeline

The implementation strategy was recalibrated from a Phased Roll-Out to a Large-Scale Roll-Out where both Elementary and Secondary Schools migrate to PowerSchool during the same School Year. This approach is known as a Scheduler Start with two key milestone dates:

- System Live Date - early 2022, when PowerSchool is live in Production and schools will start entering scheduling and registration data for the following School Year
- System of Record Date - Summer 2022, when Trillium is no longer being updated and PowerSchool SIS becomes the operational SIS

Please refer to Appendix A for rationale and details of changing from a Phased to a Large-Scale Roll-Out.

Resource Implications

Please refer to Appendix A for the update on 2020-21 budget versus actual expenditure amounts.

Communications Considerations

A schedule change to the regular updates to the Finance, Budget and Enrolment Committee (FBEC) and the Audit Committee is proposed whereby updates will be provided to the Audit Committee Quarterly and biannually to FBEC.

Please refer to Appendix A for the proposed schedule.

Board Policy and Procedure Reference(s)

P017 – Purchasing Policy

Appendices

- Appendix A: “Audit Cmtee -PowerSchool New SIS” - Presentation

From

Peter Singh, Executive Officer, IT & IM Services, FOI and Privacy Office, by telephone at 416-396-7627 or by email at peter.singh@tdsb.on.ca.

Marisa Chiu, Executive Officer (Interim), Finance, by telephone at 416-395-3563 or by email at marisa.chiu@tdsb.on.ca.

PowerSchool - New SIS Project

ITSR1543

Audit Committee

March 22, 2021



IT Services
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Status Report – Implementation of PowerSchool New SIS

IDENTIFICATION

<i>Project Manager</i>	Darren Smith	<i>Report Date</i>	19-Feb-2021
<i>Sponsor</i>	Peter Singh	<i>Project ID</i>	PRJ1543
<i>Project Summary</i>	Implementation of PowerSchool New SIS		

PROJECT TREND

<i>Planned End Date</i>	<i>Revised End Date</i>	<i>Health</i>	<i>% Complete</i>	<i>Reason for Change in Health</i>
2023 Q4	n/a	YELLOW	12%	The data migration work, specifically importing Trillium data into the PowerSchool SIS is behind schedule due to delays with the Master Service Agreement (MSA). The lack of a legal agreement and provisions protecting TDSB data is preventing the project team from loading data into the PowerSchool hosted SIS.

GREEN on track (budget, schedule, and scope); **YELLOW** issued identified but action is being taken; **RED** requires immediate intervention.

<i>Project Stage (Phase I)</i>	<i>Planned End Date</i>	<i>Status</i>
Business Process Review (1 st Round)	July 2020	Complete
Training (Core Project Team)	Nov 2020	75%
Configure Preliminary Test Environment	Nov 2020	95%
System Integration Testing	Nov 2020	50%
Business Process Review (2 nd Round with Business Stakeholders)	Nov 2020	Complete
Data Mapping Trillium to PS-SIS	Nov 2020	85%

The data migration work, specifically importing Trillium data into the PowerSchool SIS is behind schedule due to delays with the Master Service Agreement (MSA). The lack of a legal agreement and provisions protecting TDSB data is preventing the project team from loading data into the PowerSchool hosted SIS.

Progress Report



Base configuration is complete in the Test environment

District Setup and School Setup (Elem and Sec)



Mapping Trillium Data and conversion to PowerSchool SIS schema

Student and Staff Data fields and Elementary Course data have been identified and mapped from Trillium to the Ontario PowerSchool SIS model



PowerSchool SIS Initial Product Training (IPT) Certification

5- day training course for project and SIS staff has completed



9 full-time project positions hired and have been back-filled



Application Disposition In progress

Reduce technical footprint and technical debt by incorporating functions of exiting applications into PowerSchool



Business Process Review Complete

Requirement gathering with business stakeholders – identifying alignment and gaps between Trillium and PowerSchool

Implementation Strategy Pivot

The implementation strategy has been recalibrated from a **Phased** to a **Large-Scale Roll-Out** (aka Scheduler Start) whereby both Elementary and Secondary Schools migrate to PowerSchool during the same School Year.

Phased / Staggered Start

Phase I – Elementary Staggered Start

School opening occurs in Trillium and all K-8 schools migrate to PowerSchool SIS in December 2021.

Phase II - All Secondary schools start the 2022 /23 year in PowerSchool SIS.

Vs. Scheduler Start - two key milestones

System Live Date – February 2022, PowerSchool is live in Production and schools start entering scheduling and registration data for the following School Year.

System of Record Date – July 2022, Trillium is no longer being updated and PowerSchool SIS becomes the operational SIS.



Pros & Cons



- Rolling-out during a more stable timeframe – assuming the pandemic will be less of a risk in 2022
 - Flexibility to Pivot in 21/22 on Trillium
 - Single Registration System for Parents with students in both panels
 - No duplication of effort for supporting two SIS Systems
 - More focussed effort on working toward permanent rather than interim solution – no throw away solution
 - ONSIS Reporting is streamlined
 - No additional cost to TDSB and the project achieves the overall timeline of migrating off Trillium
- Lessons learned from the first phase (Elementary Panel) cannot be incorporated into the second phase
 - There could be a higher volume of support calls during the School open since both panels will be using PowerSchool
 - Increased demand for training resources to support just in time training

Issues & Risk



Master Service Agreement - the agreement has not been signed

Delaying the migration of
data from Trillium to
PowerSchool



Pandemic

The pivot to Virtual School
impacted project the project
timelines since staff were
diverted away; specifically:

- the Business Process Review
- hiring and training the core project team
- forming of the Project Working Group as the Centrally Assigned School members were reassigned



Scope

The Business Process Review and the Initial Product Training identified gaps between the Trillium and PowerSchool functionality that requires additional effort to configure and/or develop a solution

Committee Reporting Schedule

Current Reporting to Trustees – FBEC/Audit Committees

- Quarterly Update to FBEC
- Standing Item on the Audit Committee agenda through the implementation phase

Proposed Rotating Schedule

Committee	2020	2021				2022	
	November	March	May/June	September	December	March	May/June
Audit		✓	✓	✓	✓	✓	✓
FBEC	✓		✓		✓		✓

Budget & Actuals (FY21)

	Actual YTD	FY21	FY22	FY23	FY24- FY31	Total
PowerSchool Hosting/Licensing Cost On-Going through FY31	\$1,874,533	\$2,131,169	\$2,347,332	\$2,406,015	\$21,544,707	\$28,429,223
PowerSchool Professional Services Implementation Cost	\$823,590	\$1,750,000	\$2,345,935	\$1,937,200	\$0	\$6,033,135
Current Staffing Back-Fill Implementation Cost	\$0	\$850,000	\$850,000	\$850,000	\$0	\$2,550,000
	\$2,698,123	\$4,731,169	\$5,543,267	\$5,193,215	\$21,544,707	\$37,012,358



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Audit Committee O.Reg 361/10 Requirements – Work Tracker

To: Audit Committee

Date: 22 March, 2021

Report No.: 03-21-4054

Strategic Directions

- Allocate Human and Financial Resources Strategically to Support Student Needs

Recommendation

It is recommended that the Audit Committee O.Reg 361/10 Requirements – Work Tracker be received.

Context

This work tracker is a standing item on all Audit Committee agendas. It aims to provide Audit Committee members with a checklist of the O.Reg 361/10 requirements and to assist with the planning of Audit Committee activities and meeting agendas.

Action Plan and Associated Timeline

For reporting purposes only.

Resource Implications

N/A – Not Applicable.

Communications Considerations

Included in public Audit Committee minutes.

Board Policy and Procedure Reference(s)

N/A – O.Reg 361/10 is applicable.

Appendices

- Appendix A: Audit Committee O.Reg 361/10 Requirements – Work Tracker
20/21

From

Wasif Hussain, Internal Audit Manager, at Wasif.Hussain@tdsb.on.ca or 416-393-0491

Appendix A: 2020-21 Fiscal Year Audit Committee Meeting & O.Reg 361/10 Tracker

Category	Audit Committee Agenda Items	Meeting Date					Comments
		Sept 21/20	Dec 7/20	Feb 22/21	Mar 22/21	June 21/21	
	Ministry Amendments						
Ministry	Audit Committee Regulation 361/10 Amendments	✓	✓	✓	✓		No changes to regulation
	External Reports						
Deloitte	Year End Audited Financial Statements - FY2018/19		✓				
Deloitte	7 Month Accountants Report						To be presented June 2021
OAGO	Auditor General of Ontario IT Value for Money Audit - Education Sector	✓	✓		✓		
OAGO	Auditor General of Ontario Curriculum Value for Money Audit - Education Sector				✓		
OAGO	Auditor General of Ontario Student Transportaion Value for Money Audit - Follow Up				✓		
Ombudsman	Ontario Ombudsman Student Transportation Follow Up Update				✓		
	Regional Internal Audit Team						
RIAT	Regional Internal Audit Team Status and Audit Plan Updates	✓	✓	✓			
RIAT	Regional Internal Audit Team Professional Development			✓			
RIAT	Regional Internal Audit Team Benchmarking Report						To be presented June 2021
RIAT	Regional Internal Audit Team AP and Expenses						Fieldwork phase
RIAT	Regional Internal Audit Team Construction						Planning phase
	TDSB Internal Audit Department						
TDSB IA	Internal Audit Department and Audit Plan Updates	✓	✓	✓			
TDSB IA	One Time Vendor Audit			✓			
TDSB IA	FY2019-20 PCard Usage			✓			
TDSB IA	FY2019-20 School Banking Analysis			✓			
TDSB IA	Mobile Device Usage Monitoring Process Review						Cancelled - will reinitiate after all devices moved to new vendor

Appendix A: 2020-21 Fiscal Year Audit Committee Meeting & O.Reg 361/10 Tracker

Category	Audit Committee Agenda Items	Meeting Date					Comments
		Sept 21/20	Dec 7/20	Feb 22/21	Mar 22/21	June 21/21	
TDSB IA	Construction Contractor Spend Analysis	✓					
TDSB IA	School Cash Online Audit						Planning to begin March 2021
TDSB IA	Virtual Enrolment Audit 2020-21						Planning to begin March 2021
TDSB IA	Student Issued Device Management Audit						Planning to begin March 2021
TDSB IA	Engagement & Investigations Update	✓	✓	✓	✓		Presented in Private
	Review of Policies and Procedures						
Ethics & Compliance	Overview of Whistleblower Program and related statistics	✓					
Ethics & Compliance	Overview of Compliance program and related statistics	✓					
	Other						
Admin	Election of Committee Chair	✓	✓				Motion to extend PY Chair with election after Organizational Board of CY Chair
Annual Report	2019-2020 Audit Committee Annual Report to the Ministry	✓					
Annual Report	Educational Partnership Annual Update	✓					
Annual Report	Insurance & Risk Update	✓					
ERM	Enterprise Risk Management Update				✓		
Training & Education	Audit Committee New Member Orientation				✓		To be presented prior to March 2021 meeting
Training & Education	Audit Committee Professional Development & Continuing Education						PSAS Update session to be provided June 2021

The purpose of this schedule is to provide Audit Committee members with an overview of O.Reg 361/10 requirements and to assist them with planning their annual activities and meeting agendas.

		Meeting Date	
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Appendix A: 2020-21 Fiscal Year Audit Committee Meeting & O.Reg 361/10 Tracker

Category	Audit Committee Agenda Items	Meeting Date					Comments
		Sept 21/20	Dec 7/20	Feb 22/21	Mar 22/21	June 21/21	
O Reg. 361/10 Ref	Action / Responsibility	Sept 21/20	Dec 7/20	Feb 22/21	Mar 22/21	June 21/21	Comments
s.3	Composition of an Audit Committee/Eligibility of Members						
s.3 (1)	Shall consist of four board members and three persons who are not board members.	✓	✓	✓	✓		External Member expiring term extended to February, interviews for new External Member in process. New Member appointed March 10, 21
s.5 (1)	Each board shall have a selection committee for purpose of identifying non-board members as potential candidates for appointment to the audit committee.		✓		✓		Selection Committee in place, New External Member appointed March 20, 21
s.6	Chair of the audit committee						
s.6(1)	(1) At the first meeting of the Audit Committee in each fiscal year, the members of the committee shall elect the chair for the fiscal year from among members appointed to the committee.	✓	✓				Motion to extend PY Chair with election of new Chair after Organizational Board
s.7	Term of appointment						
s.7(1)	(1) Are board members appointed in accordance with the bylaws.	✓	✓	✓			
s.7(2)	(2) Are non board members appointed for a period not exceeding three years.	✓	✓	X	✓		External Member expiring term extended to February (one month), new External Member appointed March 10, 21
s.9	Duties of an Audit Committee						
s.9 (1)	Financial Reporting:						
	(1) Review with the director of education, a senior business official and the external auditor the board's financial statements regarding:						Presented Dec 2020
	i. Relevant accounting and reporting practices and issues.		✓				
	ii. Complex or unusual financial and commercial transactions of the board.		✓				
	iii. Material judgments and accounting estimates of the board.		✓				
	iv. Departures from the accounting principles published from time to time by the Canadian Institute of Chartered Accountants that are applicable to the board.		✓				
	(2) Before the annual external audit results are submitted to the board, has the audit committee reviewed with the director of education, a senior business official and the external auditor:						Presented Dec 2020
	i. the results of the annual external audit,		✓				

Appendix A: 2020-21 Fiscal Year Audit Committee Meeting & O.Reg 361/10 Tracker

Category	Audit Committee Agenda Items	Meeting Date					Comments
		Sept 21/20	Dec 7/20	Feb 22/21	Mar 22/21	June 21/21	
	ii. difficulties encountered in the course of the external auditor’s work, including any restrictions or limitations on the scope of the external auditor’s work or on the external auditor’s access to required information,		✓				No difficulties encountered
	iii. significant changes the external auditor made to the audit plan in response to issues that were identified during the audit, and		✓				
	iv. significant disagreements between the external auditor and the director of education or a senior business official and how those disagreements were resolved.		✓				No disagreements noted
	3. To review the board’s annual financial statements and consider whether they are complete, consistent with any information known to the audit committee members and reflect accounting principles applicable to the board.		✓				
	4. Has the audit committee considered it appropriate to recommend, that the board approves the annual audited financial statements.		✓				
	5. Review with the director of education, a senior business official and the external auditor all matters that the external auditor is required to communicate to the audit committee under generally accepted auditing standards.		✓				
	6. Review with the external auditor material written communications between the external auditor and the director of education or a senior business official.		✓				
	7. To ask the external auditor about whether the financial statements of the board’s reporting entities, if any, have been consolidated with the board’s financial statements.		✓				
	8. To ask the external auditor about any other relevant issues. O. Reg. 361/10, s. 9 (1).		✓				Private session held with external auditors
s. 9 (2)	Internal Controls:						
	(1) Review the overall effectiveness of the board’s internal controls.	✓	✓				9/20: Annual reports received from Whistleblower, Compliance, Educational Partnerships and Risk & Insurance; 12/20: Infection Prevention Control Measures
	(2) Review the scope of the internal and external auditor’s reviews of the board’s internal controls, any significant findings and recommendations by the internal and external auditors and the responses of the board’s staff to those findings and recommendations.	✓	✓	✓	✓		
	(3) Discuss with the board’s officials the board’s significant financial risks and the measures the officials have taken to monitor and manage these risks.	✓	✓				
s. 9 (3)	Duties to internal auditor:						
	1. Review the internal auditor’s mandate, activities, staffing and organizational structure with the director of education, a senior business official and the internal auditor.	✓					

Appendix A: 2020-21 Fiscal Year Audit Committee Meeting & O.Reg 361/10 Tracker

Category	Audit Committee Agenda Items	Meeting Date					Comments
		Sept 21/20	Dec 7/20	Feb 22/21	Mar 22/21	June 21/21	
	2. Make recommendations to the board on the content of annual or multi-year internal audit plans and on all proposed major changes to plans.	✓					TDSB IA 20/21 audit plan - presented Sept 2020. RIAT 2019/20-2021/22 draft audit plan presented May 2019, finalized Dec 2019
	3. Ensure there are no unjustified restrictions or limitations on the scope of the annual internal audit.						No restrictions or limitations to scope encountered in the year
	4. Review at least once in each fiscal year the performance of the internal auditor and provide the board with comments regarding his or her performance.	✓					Reviewed TDSB IA performance Sept 2020
	5. Review the effectiveness of the internal auditor, including the internal auditor's compliance with the document <i>International Standards for the Professional Practice of Internal Auditing</i> , as amended from time to time, published by The Institute of Internal Auditors and available on its website.	✓					TDSB IA assessment by the AC conducted in Sept 2020
	6. Meet on a regular basis with the internal auditor to discuss any matters that the audit committee or internal auditor believes should be discussed.	✓	✓	✓	✓		Teleconference with Chair of Committee / designate prior to every meeting
	7. Review with the director of education, a senior business official and the internal auditor,						
	i. significant findings and recommendations by the internal auditor during the fiscal year and the responses of the board's staff to those findings and recommendations,	✓	✓	✓	✓		Recommendations and Mgmt responses for reports presented are summarized at each meeting.
	ii. any difficulties encountered in the course of the internal auditor's work, including any restrictions or limitations on the scope of the internal auditor's work or on the internal auditor's access to required information, and						No restrictions or limitations to scope encountered in the year
	iii. any significant changes the internal auditor made to the audit plan in response to issues that were identified during the audit.	✓					FY2020-21 TDSB Internal Audit Plan reflects environmental changes
s. 9 (4)	Duties to external auditor:						
	1 Review at least once in each fiscal year the performance of the external auditor and make recommendations to the board on the appointment, replacement or dismissal of the external auditor and on the fee and fee adjustment for the external auditor.						External Auditor Service Plan to be presented in June 2021
	2. Review the external auditor's audit plan, including,						
	i. the external auditor's engagement letter,		✓				
	ii. how work will be co-ordinated with the internal auditor to ensure complete coverage, the reduction of redundant efforts and the effective use of auditing resources, and	✓					Work performed is coordinated with TDSB IA every Fall.
	iii. the use of independent public accountants other than the external auditor of the board.						Not used to date
	2.1 To make recommendations to the board on the content of the external auditor's audit plan and on all proposed major changes to the plan.						External Auditor Service Plan to be presented in June 2021
	3. Review and confirm the independence of the external auditor.		✓				

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Category	Audit Committee Agenda Items	Meeting Date					Comments
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	4. Meet on a regular basis with the external auditor to discuss any matters that the audit committee or the external auditor believes should be discussed.	✓	✓	✓	✓		External Auditors attend meetings & have ability to meet in Private
	5. Resolve any disagreements between the director of education, a senior business official and the external auditor about financial reporting.						No disagreements noted to date
	6. Recommend to the board a policy designating services that the external auditor may perform for the board and, if the board adopts the policy, to oversee its implementation.						Policy P089 in place
s. 9 (5)	Board's Compliance Matters:						
	1. Review the effectiveness of the board's system for monitoring compliance with legislative requirements and with the board's policies and procedures, and where there have been instances of non-compliance, to review any investigation or action taken by the board's director of education, supervisory officers or other persons employed in management positions to address the non-compliance.	✓					Presented by Compliance Team
	2. Review any significant findings of regulatory entities, and any observations of the internal or external auditor related to those findings.						No material findings encountered
	3. Review the board's process for communicating any codes of conduct that apply to board members or staff of the board to those individuals and the board's process for administering those codes of conduct.						Code communicated to all Trustees & new AC members as part of onboarding orientation
	4. Obtain regular updates from the director of education, supervisory officers and legal counsel regarding compliance matters.	✓					Presented by Compliance Team & General Counsel as required
	5. Obtain confirmation by the board's director of education and supervisory officers that all statutory requirements have been met.	✓					Presented by Compliance Team
s. 9 (6)	Board's risk management:						
	1. Ask the board's director of education, a senior business official, the internal auditor and the external auditor about significant risks, to review the board's policies for risk assessment and risk management and to assess the steps the director of education and a senior business official have taken to manage such risks, including the adequacy of insurance for those risks.	✓			✓		Annual Insurance & Risk report presented September 2020. ERM update presented March 2021
	2. Perform other activities related to the oversight of the board's risk management issues or financial matters, as requested by the board.						Not exercised to date
	3. Initiate and oversee investigations into auditing matters, internal financial controls and allegations of inappropriate or illegal financial dealing.	✓	✓	✓	✓		See IA Private update
s. 9 (7)	(7) Duty to report to the board annually (and at any other time that the board may require), on the committee's performance of its duties.	✓					AC Board Report submitted September 2020
s. 9 (8)	(8) Make all reasonable efforts to ensure that a copy of this Regulation is posted on the board's website.						Reference to the Regulation is included in the Boards Website

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Category	Audit Committee Agenda Items	Meeting Date					Comments
		Sept 21/20	Dec 7/20	Feb 22/21	Mar 22/21	June 21/21	
s. 10	Powers of an audit committee						
	Has the audit committee exercised any of the following powers:						
	(a) with the prior approval of the board, retain counsel, accountants or other professionals to advise or assist the committee;						Not exercised to date
	(b) meet with or require the attendance of board members, the board's staff, internal or external auditor or legal counsel or representatives from a reporting entity of the board at meetings of the committee, and require such persons or entities to provide any information and explanation that may be requested;	✓	✓	✓	✓		
	(c) where the committee determines it is appropriate, meet with the board's external or internal auditor, or with any staff of the board, without the presence of other board staff or board members, other than board members who are members of the committee;	✓	✓	✓	✓		In Camera sessions held with the Internal & External Auditor as well as with Staff to discuss sensitive items
	(d) require the board's internal or external auditor to provide reports to the committee; and	✓	✓	✓	✓		
	(e) have access to all records of the board that were examined by the internal or external auditor.	✓	✓	✓	✓		
s. 11	Meetings						
s. 11 (1)	(1) An audit committee of a board shall meet at least three times in each fiscal year at the call of the chair of the committee, and at such other times as the chair considers advisable.	✓	✓	✓	✓		
s. 11 (2)	(2)The first meeting of the audit committee in each fiscal year after the 2011 year shall take place no later than September 30.	✓					
s. 11 (3)	(3) Each member of the audit committee has one vote.	✓	✓	✓	✓		
s. 11 (4)	(4) The audit committee shall make decisions by resolution.	✓	✓	✓	✓		
s. 11 (5)	(5) In the event of a tie vote, the chair is entitled to cast a second vote.						No tie votes noted
s. 11 (6)	(6) A majority of the members of the audit committee that includes at least one member who is not a board member constitutes a quorum for meetings of the committee.	✓	✓	✓	✓		
s. 11 (7)	(7) The chair of the audit committee shall ensure that minutes are taken at each meeting and provided to the members of the committee before the next meeting.	✓	✓	✓	✓		
s. 12	Codes of Conduct						

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	Any code of conduct of the board that applies to board members also applies to members of the audit committee who are not board members in relation to their functions, powers and duties as members of the committee.				✓		Code communicated to all Trustees & new AC members as part of onboarding orientation
s.13	Remuneration and compensation						
s.13(1)	(1) A person shall not receive any remuneration for serving as a member of the audit committee.	✓	✓	✓	✓		
s.13(2)	(2) Subsection (1) does not preclude payment of an honorarium under section 191 of the Act that takes into account the attendance of a board member at an audit committee meeting.						Policy P074, Honoraria for Trustees, in place
s.13(3)	(3) A board shall establish policies respecting the reimbursement of members of its audit committee for expenses incurred as members of the committee.						Policy P016, Employee and Trustee Expenses, in place
s.13(4)	(4) A board shall reimburse members of its audit committee for expenses incurred as members of the committee in accordance with the policies referred to in subsection (3).						Policy P016, Employee and Trustee Expenses, in place
s. 14	Declaration of conflicts						
s.14(1)	(1) Has each audit committee member submitted a written declaration to the chair declaring whether he or she has a conflict of interest (as described in subsection 4 (2)), when he or she was appointed for the first time and at the first meeting of the committee in each fiscal year.	✓	✓	✓	✓		In the first meeting of fiscal year and first meeting after Org Board as well as when new members are appointed, any conflicts are documented in the meeting minutes
s.14(2)	(2) A member of an audit committee who becomes aware after his or her appointment that he or she has a conflict of interest, as described in subsection 4 (2), shall immediately disclose the conflict in writing to the chair.						No conflicts declared to date
s.14(3)	(3) If a member or his or her parent, child or spouse could derive any financial benefit relating to an item on the agenda for a meeting, the member shall declare the potential benefit at the start of the meeting and withdraw from the meeting during the discussion of the matter and shall not vote on the matter.						No conflicts declared to date
s.14(4)	(4) If no quorum exists for the purpose of voting on a matter only because a member is not permitted to be present at the meeting by reason of subsection (3), the remaining members shall be deemed to constitute a quorum for the purposes of the vote.						No conflicts declared to date
s.14(5)	(5) If a potential benefit is declared under subsection (3), a detailed description of the potential benefit declared shall be recorded in the minutes of the meeting.						No conflicts declared to date
s.15	Reporting						
s. 15(1)	(1) The audit committee shall submit to the board on or before a date specified by the board an annual report that includes,						2019/20 Annual Report submitted to the Board in September 2020

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	(a) any annual or multi-year audit plan of the board's regional internal auditor;	✓					
	(b) a description of any changes made to a plan referred to in clause (a) since the last report of the committee;		✓				Transportation Audit cancelled
	(c) a summary of the work performed by the regional internal auditor since the last annual report of the committee, together with a summary of the work the auditor expected to perform during the period, as indicated in the plan referred to in clause (a); and	✓					
	(d) a summary of risks identified and findings made by the regional internal auditor.	✓					
	(e) a summary of enrolment audits planned by internal auditor.	✓					2019/20 - 16 Enrolment audits completed, presented in June 2020
s. 15(2)	(2) A board who receives a report under subsection (1) shall submit a copy of it to the Minister in each fiscal year on or before a date specified by the Minister.	✓					Issued to the Board in September 2020; Issued to EDU in October 2020.
s. 15(3)	(3) An audit committee of a board shall submit a report to the board in each fiscal year on or before a date specified by the board, and at any other time as may be requested by the board, that includes						2019/20 Annual Report submitted to the Board in September 2020
	(a) a summary of the work performed by the committee since the last report;	✓					
	(b) an assessment by the committee of the board's progress in addressing any findings and recommendations that have been made by the internal or external auditor;	✓					
	(c) a summary of the matters addressed by the committee at its meetings;	✓					
	(d) the attendance record of members of the committee; and	✓					
	(e) any other matter that the committee considers relevant.	✓					

Acknowledgement of Traditional Lands

We acknowledge we are hosted on the lands of the Mississaugas of the Anishinaabe (A NISH NA BEE), the Haudenosaunee (HOE DENA SHOW NEE) Confederacy and the Wendat. We also recognize the enduring presence of all First Nations, Métis and Inuit peoples.

Reconnaissance des terres traditionnelles

Nous reconnaissons que nous sommes accueillis sur les terres des Mississaugas des Anichinabés (A NISH NA BAY), de la Confédération Haudenosaunee (HOE DENA SHOW NEE) et du Wendat. Nous voulons également reconnaître la pérennité de la présence des Premières Nations, des Métis et des Inuit."

Committee Mandate

To ensure compliance with the Ministry of Education Act 253.1 (1) and Ontario Regulation 361/10 and to assist the Board in fulfilling its oversight responsibilities for the financial reporting process, the system of internal controls, risk management and the audit processes, including internal audits, external audits and the annual financial audit.



Our Mission

To enable all students to reach high levels of achievement and well-being and to acquire the knowledge, skills and values they need to become responsible, contributing members of a democratic and sustainable society.

We Value

- Each and every student's interests, strengths, passions, identities and needs
- A strong public education system
- A partnership of students, staff, family and community
- Shared leadership that builds trust, supports effective practices and enhances high expectations
- The diversity of our students, staff and our community
- The commitment and skills of our staff
- Equity, innovation, accountability and accessibility
- Learning and working spaces that are inclusive, caring, safe, respectful and environmentally sustainable

Our Goals

Transform Student Learning

We will have high expectations for all students and provide positive, supportive learning environments. On a foundation of literacy and math, students will deal with issues such as environmental sustainability, poverty and social justice to develop compassion, empathy and problem solving skills. Students will develop an understanding of technology and the ability to build healthy relationships.

Create a Culture for Student and Staff Well-Being

We will build positive school cultures and workplaces where mental health and well-being is a priority for all staff and students. Teachers will be provided with professional learning opportunities and the tools necessary to effectively support students, schools and communities.

Provide Equity of Access to Learning Opportunities for All Students

We will ensure that all schools offer a wide range of programming that reflects the voices, choices, abilities, identities and experiences of students. We will continually review policies, procedures and practices to ensure that they promote equity, inclusion and human rights practices and enhance learning opportunities for all students.

Allocate Human and Financial Resources Strategically to Support Student Needs

We will allocate resources, renew schools, improve services and remove barriers and biases to support student achievement and accommodate the different needs of students, staff and the community.

Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

We will strengthen relationships and continue to build partnerships among students, staff, families and communities that support student needs and improve learning and well-being. We will continue to create an environment where every voice is welcomed and has influence.