



Provincial Advisory Council  
on the Status of Women  
NEWFOUNDLAND & LABRADOR

June 4, 2024

Education Accord  
Department of Education  
Government of Newfoundland and Labrador

Dear Dr. Burke and Dr. Goodnough,

PACSW would like to expand upon the content presented in our power point presentation with this submission, highlighting how our work intersects with the objectives of the Education Accord NL, which aims to create better outcomes for students and learners while also supporting the Provincial Government's goal of becoming one of Canada's healthiest provinces by 2031.

Contributing to this consultation is also in keeping with our mandate of:

- *Advising government on issues affecting the status of women and;*
- *Bring before the Provincial Government and the public matters of interest and concern to women*

If you wish to discuss our written submission, please do not hesitate to contact me.

Sincerely,

Paula Sheppard,  
President/CEO

## SUBMISSION ON EDUCATION ACCORD NL: ENHANCING EDUCATIONAL COLLABORATION FOR COMMUNITY GROWTH

### HOW OUR WORK INTERSECTS WITH THE OBJECTIVES OF THE EDUCATION ACCORD:

Below is further selected reading on PACSW's research and submissions to the Department of Education, organized in alignment with the four pillars of Education Accord NL.

### EARLY LEARNING AND CHILDHOOD DEVELOPMENT

In April 2023, the Advisory Council (PACSW) submitted a brief to inform the then Minister of Education, the Honourable Dr. John Haggie, of inequitable policies pertaining to grant funding for family child care service providers within the *Family Child Care Operating Grant Program Policy and Standards Manual*, and the *Child Care Capacity Initiative Program for Family Home Child Care Policy and Standards Manual*.

Policies that are inconsistent with the statute law have placed a financial burden on family child care service providers and are a deterrent for potential providers who otherwise would be willing to open a regulated family child care home. Most family child care service providers who operate a regulated family child care home in the province are women. This profession is their livelihood, and many do so while also wanting to raise their own children.

Policies that do not include funding for child care space or expenses for play materials and equipment penalize providers who are parents wanting to provide child care for their own children and for others. It also impedes the provincial government's commitment announced in Budget 2023 of "...working towards the goal of adding more than 700 new child care spaces."

It was our recommendation that both documents be reviewed and revised to include the family home care provider's own children in both funding models. Placing value on family child care service providers by changing current policy to include their own children in the funding model for a regulated family child care home is a crucial step in the strategy to increase child care spaces in the province and will give parents the real ability to benefit from affordable child care access.

### EDUCATION ENGAGEMENT AND TRANSFORMATION:

In collaboration with the Public Legal Information Association of NL (PLIAN) and the NL Sexual Assault Crisis and Prevention Centre (NLSACPC), PACSW submitted a brief to the Minister of Education and Early Childhood Development in March 2019 regarding **Recommended Amendments to the Schools Act, 1997**. PACSW, along with PLIAN and NLSACPC, highlighted the need to establish and update existing protocols for addressing situations of sexual violence in schools, including both sexual assault and sexual harassment. We encouraged government to revisit and update legislation and policies related to safety and discipline in our province's school

system including the *Schools Act of 1997*, the by-laws of the NL English School District, the *Safe and Caring Schools Policy*, and Codes of Conduct at individual schools in the district. Emphasizing these laws and policies should be examined and updated as needed to ensure they clearly define and address issues of harassment, sexual harassment, sexual assault, and other forms of violence support students who experienced such violence.

In February 2022, The Advisory Council (PACSW) was given the opportunity to submit feedback on the comprehensive review of the *Teachers Training Act* and associated Regulations (*the Act*) with our submission on **Review of Teacher Training Act and Regulations**.

Previously, in January 2016, the Advisory Council provided a submission to the Department of Education titled: **Education and the Status of Women in Newfoundland and Labrador** outlining the importance of the of Newfoundland and Labrador education system “as either an underlying issue or a potential solution for issues impacting the economic and social security of women.” Subsequently, in March 2017, the Advisory Council submitted **Education Submission to the Premiers Task Force** to the Premiers Task Force on Educational Outcomes during their consultation process.

Both documents outlined the need for review on teacher training and curriculum, teacher professional development, and ensuring that newly graduated educators are well equipped to deal with the realities of modern schools, in relation to issues beyond the general educational curriculum. In recent years, the Advisory Council has researched and submitted briefs and submissions on various topics pertaining to the Newfoundland and Labrador education system.

In our 2022 submission, we identified a strong correlation between teacher certification requirements and quality education for students in Newfoundland and Labrador. Both the *Teachers Training Act* and its regulations are grounded in certification and licensing of teachers in Newfoundland and Labrador. Certification and licencing are given priority to a Teachers’ Certification Committee, a certification review panel, and a board of appeals. In keeping with a GBA+ analysis lens, these contained bodies should thus reflect equity, diversity, and inclusion, allowing for an invaluable range of outlooks, opinions and suggestions needed for teacher certification.

Teachers occupy a unique position, as they serve as role models for students and play a vital role in delivering quality education. Therefore, maintaining the ethical standards of the teaching profession is essential. Professional misconduct in the teaching profession should be clearly defined in the Act.

Certification in a given subject is no longer the sole qualification needed to be considered competent to teach. In today’s education landscape, teachers must acquire complex competencies comprised of more than just knowledge and skill. Our education system must recognize teachers as life-long learners and see the value in skills upgrading and curriculum changes to adapt in an ever-evolving society. This should be reflected in teacher’s certification

process, including necessary competencies requirements for educators, and in ongoing professional development programs.

The Advisory Council concurs with many recommendations made in the Premier's Task Force on Educational Outcomes "[Now is the Time](#)" report, as well as the guiding principles outlined in The Government of Newfoundland and Labrador's Education Action Plan, 2018, "[The Way Forward](#)". Our recommendations serve to build upon these two documents:

**Recommendation 1:**

Remove the gendered terminology "him" or "her" throughout the Act and replace with more gender inclusive language.

**Recommendation 2:**

Review Panel: Section 3. Reclassify The Teacher Certification Review Panel as a Tier 1 entity, moving it to the Independent Appointments Commission (IAC), which applies a merit-based process for screening applicants.

**Recommendation 3:**

Cancellation or suspension of certificate: Section 5 (2). Regulations be established to clearly define "gross misconduct" "incompetence" and "just cause" terminology when reviewing the suspension or cancellation of a teacher certificate or licence.

**Recommendation 4:**

Teachers' Certification Committee: Section 8; Board of appeals: Section 14. Where possible, ensure a gender-balanced representation in the membership of both.

**Recommendation 5:**

Regulations: Section 11 (g). It is recommended that the committee, in consultation with academic institutions, ensure that the certification and licensing of teachers be contingent on the completion of training on professional conduct and standards within the teaching profession. Such mandatory training could be embedded within the academic curriculum of university degree programs or offered alongside a suite of training courses outside of the degree requirements.

Additionally, "subsequent and ongoing professional development program" offerings highlight professionalism and misconduct as a refresher, so teachers are aware of any "emerging issues and new policies", as highlighted in the *Now is the Time* report. The professional development provisions should be reviewed every five years to ensure they are effective.

**HEALTH AND WELL-BEING IN EDUCATION ENVIRONMENTS:**

In October 2023, the Advisory Council submitted to the Minister of Education a detailed research report, **Child Sexual Abuse and Sexual Misconduct Within the K-12 Education System**. We subsequently submitted this same report to the NLESD. Our research outlines best practices, both in Canada and at the international level, of sexual grooming legislation, provides a review of

disciplinary processes for teacher professional misconduct across Canadian jurisdictions, and offers recommendations to address child sexual abuse and professional misconduct within our K-12 education system. These recommendations as outlined in our submission are as follows.

**Recommendation 1:**

**Mandatory child sexual abuse prevention and awareness measures**

Training for educators, school personnel and administrators on how to recognize potential signs of child sexual abuse and teacher sexual misconduct (see Ontario's Sexual Abuse Prevention Program).

Educational and awareness initiatives for students and parents, such as a province-wide body safety education.

**Recommendation 2:**

**Mandatory professional conduct training for educators and administrators**

Training for educators and administrators including standards outlining the expectations of school personnel demonstrating appropriate and inappropriate behaviours, and boundaries/ boundary violations in their interactions with students.

Educate staff regularly about policies, practices, and guidelines to protect children during staff meetings or in-service training.

Remind staff about policies, practices, and guidelines during annual evaluations, in newsletters, or communication on related issues.

Include copies of the policies, practices, and guidelines in teacher handbooks.

**Recommendation 3:**

**Reporting Obligations, Procedures and Practices**

Training for teachers and school personnel on their reporting obligations, including policies and practices for bringing forward and responding to cases of inappropriate behaviour and boundary violation, as well as their legal responsibility to report in cases of child sexual abuse; legal repercussions for principals and school administrators who fail to report and/or protect children.

Codes of conduct should explicitly address teacher-on-student sexual misconduct.

Clear, consistent reporting procedures should be outlined.

Development of an independent body or commission where victims, parents, school staff or members of the public can report cases of suspected teacher-on-student sexual misconduct or abuse and seek objective advice and support.

Appointment of an arm's-length commissioner to oversee teacher conduct, teacher leader conduct, and competency complaints for the profession (see [Alberta Teaching Profession Commission](#); [British Columbia Commissioner for Teacher Regulation](#)).

#### **Recommendation 4:**

##### **Public Accountability and Transparency**

Initiate a publicly available discipline database, which would publish disciplinary hearing/committee decisions as well as any consensual complaint resolution agreements, if applicable (see [Alberta's Teacher and Teacher Leader Registry](#); [British Columbia Commissioner for Teacher Regulation \(BCCTR\) – Discipline Outcomes](#); Ontario's [Discipline Decisions](#); and [Saskatchewan Professional Teachers Regulatory Board \(SPTRB\) – Hearing Dates, Agreements and Decisions](#)) as well as a public hearing schedule (see the Ontario College of Teachers [public hearing schedule](#))

Initiate a provincial online registry, providing information about current certificate holders and holders of a letter of permission, including the status of their teaching certificate or letter of permission, and records of disciplinary action (see [Alberta's Teacher and Teacher Leader Registry](#); [British Columbia's online registry of teachers](#); the [Registry of Suspended and Revoked New Brunswick Teachers' Certificates](#); [the Ontario College of Teachers \(OCT\) public register](#); the [Saskatchewan Professional Teachers Regulatory Board – Public Registry](#)).

#### **Recommendation 5:**

##### **Legislation**

Enact new or amend existing legislation to specifically address the professional conduct of teachers and disciplinary action (see Alberta's [Education \(Reforming Teacher Profession Discipline\) Amendment Act](#); Manitoba's [Education Administration Amendment Act \(Teacher Certification and Professional Conduct\)](#); and Ontario's [Better Schools and Student Outcomes Act, 2023](#)).

#### **POST-SECONDARY EDUCATION AND LEARNING ACROSS THE LIFE SPAN:**

In November 2023, the Advisory Council submitted to the Minister of Education a second research report as part of our gender-based violence research series, which aims to review several areas of the educational sector to help support evidence-based policy development and decision-making, entitled **Sexual Violence in the Post-Secondary Education Context: Informing Policy, Enacting Change**. Our recommendations on anti-sexual violence initiatives for Newfoundland and Labrador as outlined in our submission are as follows:

#### **Recommendation 1:**

Collect data on SV incidents in PSIs in the province and set provincial standards for campus sexual violence data collection in collaboration with key stakeholders. A gender-based analysis (GBA+) should be applied to the data collection analysis.

#### **Recommendation 2:**

Convene an advisory committee to oversee initiatives focused specifically on SV at PSIs, ensuring representation from campus SV centre workers and student leaders, and based on extensive

consultations with students and other members of campus communities, subject matter experts, survivors of SV, stakeholder communities and organizations, law enforcement and frontline service workers.

**Recommendation 3:**

Adopt a regulatory framework and/or legislation for institutional SV policies to ensure they meet minimum standards for prevention education and response, in line with and modeled after effective measures taken in other provinces.

**Recommendation 4:**

Commit to long-term sustainable investment in support of SV on campuses.