

Quality Standards Framework Regulations Implementation Bulletin #11: Education

MARCH 15, 2023

In follow up to the March 8, 2023 email, this is the eleventh of the weekly communications that will be sent by the Ministry of Children, Community and Social Services (ministry) to out of home care^[OBS]¹ service providers and placing agencies on the new and updated [Quality Standards Framework](#) related regulations, which come into effect on July 1, 2023.

The weekly bulletins will cover the 10 regulatory topics with the intent to help familiarize licensees and placing agencies with the new and updated requirements, and answer questions about how they can start preparing for implementation.

Note that the information that follows does not constitute legal advice. It provides general information about the regulatory amendments made to licensing requirements under the *Child, Youth and Family Services Act, 2017 (CYFSA)*. If you require assistance with respect to the interpretation of the regulatory requirements and their potential application in specific circumstances, you should seek legal advice.

1. Who do the new education requirements apply to?

The new and updated regulations related to education apply to all licence types, including children’s residence licensees (including children’s residences that operate as a place of temporary detention, of secure custody or of open custody), foster care licensees (including Children’s Aid Societies), and staff model homes licensees.

There are new education requirements specifically for children’s aid societies (societies).

¹ Although the term *residential* is a legal term under the CYFSA and its regulations, the ministry is using the term “out-of-home care” instead of “residential” care to acknowledge the traumatic history of the Residential School system in Canada. We recognize the importance of choosing different languages, especially, since the term may be triggering to some.

2. Overview of New Requirements:

- New requirements for licensees to ensure that the licensed setting includes a space or spaces that constitute a suitable study environment for each child or young person to undertake their studies, including for completing homework and other assignments and that is responsive to their individual needs and appropriate given their age and maturity.
 - An enhanced requirement for the licensee to consult with specified school boards and entities (e.g., a band or council of the band within the meaning of the [Indian Act](#) (Canada)) at least once a year for the purposes of identifying and using relevant educational resources available for children and young persons receiving out of home care.
 - New requirements for information sharing respecting the child or young person's education and school with the child or young person's placing agency, parent or other person who placed the child and with the school (e.g., information about educational resources available in the area where the child receives out of home care, contact information for persons within the licensed program in case of school emergencies.).
 - New rules specific to information sharing in cases where the child or young person may be absent from school, including new documentation requirements.
 - Enhancements to existing plan of care requirements to include relevant information about that child or young person's educational needs and identified supports, including:
 1. A description of the child or young person's current educational status and an indication of the educational resources that have been made available to the child from among those identified by the licensee through the consultations required under subsection 80.1(2) of O. Reg. 156/18.
 2. An indication of whether there are any concerns about the child or young person's school attendance or academic performance and, if applicable, any action to be taken to address those concerns.
 - 1. A description of how the licensee has ensured, as required by subsection 80.1(1), that the residence or foster home includes a space or spaces that constitute a suitable environment for each child or young person to undertake their studies, including completing homework and other assignments, that is responsive to each child or young person's individual needs and appropriate given their age and maturity.
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3. How do the new education requirements enhance quality of care?

Introducing new requirements to support educational attainment is part of the work to embed *Ontario's Quality Standards Framework: A Resource Guide to Improve the Quality of Care for Children and Young Persons in Licensed Residential Settings* (QSF), into regulation. The new requirements are aimed at ensuring that licensees, placing agencies, local schools, and school boards make a concerted, collaborative effort to

ensure that all children and young persons are receiving an education that meets their needs and allows them to thrive, leading them to achieve positive educational and socio-emotional outcomes. This includes sharing information as appropriate and having the right supports in place inside and outside of the classroom or other setting for both learning and safety.

As noted in Quality Standard #10, Educational Achievement, education is a key enabler for breaking the cycle of poverty, supporting child survival, growth, development and well-being, and closing the gap in social inequality (Residential Services Review Panel, 2016). Under the Act, all children and young persons in out of home care have a right to receive an education that corresponds to their aptitudes and abilities, in a community setting whenever possible, and, ideally, this right should be supported with minimal disruptions to the child or young person. It is only through the active involvement and support for each child or young person that they will become more invested in their education and develop aspirations to pursue further/higher education, training, and/or employment. Education must be treated as a priority for each child or young person.

4. Where can I find the regulations?

The new education regulations can be found on E-Laws accessible by the following link: [O. Reg. 156/18, s. 80.1.](#)

The new education regulations for societies can be found on E-Laws accessible by the following link: [O. Reg. 156/18, s. 51.4.](#)

5. What resources will be available to me in future to support implementation of the new requirements?

In the coming months, the following will be available to service providers to support understanding and compliance with the new education requirements:

- A guidance document covering the new requirements, purpose for the new requirements, indicators used by the ministry to assess compliance, guidance for placing agencies and best practices for implementation (March 2023).
 - Information webinars for service providers and societies on the new requirements (Spring 2023).
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6. Who should I be sharing this information with?

Information regarding the education requirements should be shared with all out of home care licensees for children and young persons, including societies and those that provide care in children's residences (including children's residences that operate as a

place of temporary detention, of secure custody or of open custody), staff-model homes, and foster homes. This information should also be shared with placing agencies, including societies, front-line staff members and foster parents. It may also be shared with educational staff working with children and young persons.

7. Who can I contact if I have questions about the new regulations?

If you require assistance with respect to the interpretation of the legislation and its potential application in specific circumstances, you should seek legal advice.

You may also contact your regional licensing team for more information as you implement the new requirements. Any additional questions pertaining to future activities to support operationalization of the new regulations can be directed to qualitystandardsframework@ontario.ca.

8. What's next?

Stay tuned! The next Quality Standards Framework Regulations Implementation Bulletin topic on **other minor enhancements** will be released March 22.