

Chapter 8

Framework of Education Governance

ABSTRACT

How the public education system is governed has an impact on how students learn in schools. This chapter describes and discusses how the governance of Ontario education system changed in the last three decades, when significant reforms were implemented by different provincial governments. The chapter also briefly mentions the governance of education systems in California and China. It contains sections in the Ontario Education Act and Regulation 298/1990 Operation of Schools on the governance of education in the province. In addition, the chapter offers some reflections from the author regarding the changes in Ontario education governance since the 1990s.

How public education is governed has an important impact on how well students learn in schools. California Education Code Title 2 Division 2 Part 20 Chapter 1 Article 1 section 33000 stipulates that there is a state board of education, consisting of 10 members and a student member, appointed by the governor with the advice and consent of two-thirds of the senate. Article 2 section 33031 states that the board shall adopt rules and regulations (a) for its own government, (b) for the government of its appointees and employees, (c) for the government of the day and evening elementary schools, the day and evening secondary schools, and the technical and vocational schools of the state, and (d) for the government of other schools, ... as may receive in whole or in part financial support from the state. Section 33032 presents that

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the board shall make plans for the improvement of the administration and efficiency of the public schools. Chinese Education Act Chapter 2 Article 17 specifies that the establishment, format, duration, expected students, and education aims of schools and other educational institutions shall be determined by the State Council and the educational administrative department the State Council authorizes. The general understanding of the educational administrative department is the national Ministry of Education.

Started in 1807, when the provincial legislature passed the first Public Schools Act, the Ontario publicly funded education system has a history of 215 years. The current framework of education governance has been established by the Education Act, its predecessors, regulations made under the Education Act, and other related laws.

In 1807 there were only eight publicly funded schools in Ontario (Ross, 1896), all of which provided religious education. In those days all European settlers in Ontario were Christians, mainly of two denominations: Protestants and Catholics. The Protestants were the majority and the Catholics were the minority. Catholics in Ontario wanted their own schools so that their children would not be subject to instruction by teachers of the majority denomination. This right of having denominational minority schools was protected by section 93 of the Canadian Constitution (The Parliament of the United Kingdom, 1867).

The provincial government provided funding to these schools for them to hire teachers and appointed trustees to operate the schools (Ross, 1896). All the publicly funded schools could be categorized into two groups: one Protestant group and the other Catholic group. As the number of settlers in Ontario increased and they had children, more children went to school, children went to school for longer periods of time, and more schools were built. The 1816 Common Schools Act indicated that schools would be administered by locally elected trustees (Ross, 1896), which could be considered the beginning of publicly funded school autonomy. More people understood that education was beneficial for individuals as well as society. In 1841 Ontario Legislature passed the Education Act, which authorized residents of a municipality, a town, or a place to collect property taxes for building schools, maintaining schools, and hiring teachers (Walker, 1971), which could be considered the beginning of public schools' financial autonomy. While schools were funded both provincially and locally, they were administered by trustees elected in local municipal elections. In 1871 the School Act was passed, which declared

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