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Bill 33

**An Act to amend various Acts in relation to child,
youth and family services, education, and colleges and universities**

The Hon. P. Calandra
Minister of Education

Government Bill

1st Reading May 29, 2025

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 CHILD, YOUTH AND FAMILY SERVICES ACT, 2017

The Schedule makes the following amendments to the *Child, Youth and Family Services Act, 2017*:

1. Currently, section 15.1 of the Act requires children's aid societies and licensees whose licence is issued under Part IX (Residential Licensing) of the Act to provide children and young persons with information about the Ombudsman that is set out in subsection 14.0.1 (1) of the *Ombudsman Act*. This section is re-enacted to provide for additional circumstances in which such information must be provided, including to persons entering into an agreement under section 124 of the Act. The section, as re-enacted, also requires children's aid societies and licensees to use language that is suitable to the understanding of the child, young person or person in question when providing the information.
2. The Act is amended to require children's aid societies to review their by-laws, update them in accordance with the results of the review and make them available to the public. The specific requirements for the review and for making by-laws available to the public are to be determined by regulations made by the Minister.
3. A new section 41.1 of the Act requires children's aid societies to obtain the Minister's approval to enter into an agreement with respect to a financial transaction or to enter into a financial arrangement if the financial transaction or arrangement is one that is deemed by the regulations made by the Minister to impact on a society's ability to operate within its approved budget allocation.
4. The definition of "institution" in section 62 of the Act is amended to eliminate the current exclusion of maternity homes from the scope of that definition.

SCHEDULE 2 EDUCATION ACT

The Schedule makes various amendments to the *Education Act*, including the following:

1. The Act currently includes provisions setting out specific situations when there may be an investigation of a board's affairs. Amendments provide that, instead, an investigation may be directed if the Minister has concerns about a matter of public interest. Matters of public interest include whether boards, board members and directors of education are carrying out their duties under this Act in an appropriate manner. Provisions are included that address the powers of investigators and possible actions that may be taken after an investigation.
2. Amendments provide that the Minister may give directions to the board to address a matter of public interest if, in the Minister's opinion, a board, board member or director of education has done or omitted to do something, or is likely to do or omit to do something, that could affect a matter of public interest. Control and charge of a board may be vested in the Minister if a board does not comply with a Minister's direction, or in certain other circumstances. Currently, such vesting orders must be made by the Lieutenant Governor in Council.
3. Currently the Act requires boards to have external auditors and audit committees. The Act is amended to also provide for Ministry auditors and internal auditors, and to make related amendments.
4. The Minister is given power to establish policies and guidelines respecting school board expense policies.
5. A requirement is added for boards to work with local police services to provide them with access to school premises, permit them to participate in school programs and implement school resource officer programs.
6. A new section requires boards to apply to the Minister for approval of the name of a new school or to change the name of an existing school. Provisions are included respecting the approval process and what the board may do upon approval or rejection of a name.
7. Related regulation-making powers are included.

SCHEDULE 3 MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES ACT

The Schedule amends the *Ministry of Training, Colleges and Universities Act*.

New section 16.0.2 requires colleges of applied arts and technology and publicly-assisted universities to assess applicants based on merit and to publish the criteria and process to be used for assessment into programs of study. The Lieutenant Governor in Council is given authority to make related regulations.

New section 20.1 requires colleges of applied arts and technology and publicly-assisted universities to develop and implement research security plans.

New section 21.1 authorizes regulations to be made by the Lieutenant Governor in Council governing fees that colleges of applied arts and technology or publicly-assisted universities may charge to students or require students to pay.

New section 24 provides that in the event of a conflict or inconsistency between the Act or a regulation made under the Act, other than a regulation made under section 18 of the Act, with any other Act or regulation, the Act or the regulation made under it prevails.

**SCHEDULE 4
OMBUDSMAN ACT**

The Schedule amends the *Ombudsman Act* to expand the Ombudsman's functions in relation to services provided under the *Child, Youth and Family Services Act, 2017*. Complementary amendments are made to various provisions of the Act.

**An Act to amend various Acts in relation to child,
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His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by order of the Lieutenant Governor in Council, an order may apply to one or more of those provisions, and orders may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Supporting Children and Students Act, 2025*.

SCHEDULE 1
CHILD, YOUTH AND FAMILY SERVICES ACT, 2017

1 Section 15.1 of the *Child, Youth and Family Services Act, 2017* is repealed and the following substituted:

Provision of information re Ombudsman

Societies and residential licensees

15.1 (1) A society or a licensee whose licence is issued under Part IX shall provide the information described in subsection 14.0.1 (1) of the *Ombudsman Act* to a child or young person when,

- (a) the society or licensee begins to provide a service to the child or young person; or
- (b) the child or young person makes a complaint under clause 18 (1) (a) or (b) or when the child or young person requests a further review of the complaint under subsection 19 (1) once the review by the society or licensee is completed.

Societies

(2) A society shall provide the information described in subsection 14.0.1 (1) of the *Ombudsman Act* to,

- (a) a child when,
 - (i) the child requests that the society support them through a written agreement for services and supports under subsection 77 (1),
 - (ii) the child enters into an agreement made under subsection 77 (1) or renews such an agreement under subsection 77 (2),
 - (iii) the society who is a party to an agreement under subsection 77 (1) with the child issues a written notice to terminate the agreement under subsection 77 (4) or the child issues such a notice to the society, or
 - (iv) the society provides information to the child about entering into an agreement referred to in section 124;
- (b) a person when the society provides information to the person about entering into an agreement referred to in section 124;
- (c) a person when the person enters into an agreement referred to in section 124; or
- (d) a person who is a party to an agreement under section 124 when,
 - (i) the society renews the agreement, or
 - (ii) the person provides the society with a written notice to terminate the agreement.

Other circumstances

(3) In addition to when required by subsections (1) and (2), societies and licensees whose licence is issued under Part IX shall provide children, young persons or other persons for whom the Ombudsman's functions under subsection 14 (1.1) of the *Ombudsman Act* may be relevant the information described in subsection 14.0.1 (1) of that Act when, in the opinion of the society or licensee, it is necessary to ensure that the child, young person or other person understands that information and when otherwise required by the regulations.

Suitable language

(4) When providing the information in accordance with this section, societies and licensees whose licence is issued under Part IX shall use language that is suitable to the understanding of the child, young person or person in question.

2 Section 36 of the Act is amended by adding the following subsection:

Review and posting of by-laws

- (4) Subject to the regulations, a society shall,
- (a) review its by-laws, as required by and in accordance with the regulations, and update them in accordance with the results of the review; and
 - (b) make its by-laws available to the public as required by and in accordance with the regulations.

3 The Act is amended by adding the following section:

Limit on certain financial transactions and arrangements

41.1 Subject to the regulations, a society shall not, without the Minister's approval, enter into an agreement with respect to a financial transaction or enter into a financial arrangement if the financial transaction or financial arrangement is one that is deemed by the regulations to impact on a society's ability to operate within its approved budget allocation.

4 Clause (a) of the definition of "institution" in section 62 of the Act is amended by striking out "a children's residence, other than a maternity home, operated by the Minister" at the beginning and substituting "a children's residence operated by the Minister".

5 (1) Subsection 341 (1) of the Act is amended by adding the following paragraph:

- 5.1 governing, for the purposes of subsection 36 (4), reviews by societies of their by-laws and the manner in which and times at which societies are to make their by-laws available to the public, including regulations,
- i. exempting specified societies from the application of that subsection or either of clauses 36 (4) (a) or (b),
 - ii. governing the timing of reviews required by that subsection,
 - iii. setting out requirements that must be met by societies when conducting a review of their by-laws, including requirements that societies take into account specified considerations;

(2) Subsection 341 (1) of the Act is amended by adding the following paragraph:

- 7.1 providing for exemptions from section 41.1 and prescribing financial transactions or financial arrangements that are deemed to impact on a society's ability to operate within its approved budget allocation for the purposes of that section;

Commencement

6 (1) Except as otherwise provided in this section, this Schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.

(2) Sections 1 and 4 come into force on the day the *Supporting Children and Students Act, 2025* receives Royal Assent.

**SCHEDULE 2
EDUCATION ACT**

1 Subsection 1 (1) of the *Education Act* is amended by adding the following definitions:

“external auditor” means a person appointed as an external auditor under subsection 253 (1); (“vérificateur externe”)

“internal auditor” means a person employed or serving as an internal auditor under subsection 253.0.1 (1); (“vérificateur interne”)

“Ministry auditor” means a person appointed as a Ministry auditor under subsection 252.1 (1); (“vérificateur du ministère”)

2 (1) Subsection 8 (1) of the Act is amended by adding the following paragraph:

policies and guidelines: school board expense policies

3.7 establish and require boards to comply with policies and guidelines governing board expense policies, including policies and guidelines that,

- i. specify key principles and other content that must be included in board expense policies, and
- ii. set out requirements relating to discretionary spending;

(2) Paragraph 30 of subsection 8 (1) of the Act is repealed and the following substituted:

auditors

30. prescribe the duties to be performed by Ministry auditors, external auditors and internal auditors;

3 Subsections 11.1 (2) to (5) of the Act are repealed.

4 The Act is amended by adding the following section:

Work with local police services

170.0.2 (1) Every board shall work with its local police services to, in the prescribed circumstances,

- (a) provide the local police services with access to school premises;
- (b) permit the local police services to participate in school programs; and
- (c) implement school resource officer programs, where such programs are available.

Same

(2) A board shall perform its duties under subsection (1) in accordance with any regulations and any policies or guidelines established under subsection 301 (7).

Regulations

(3) The Lieutenant Governor in Council may make regulations,

- (a) governing the manner in which boards shall work with local police services;
- (b) prescribing the circumstances in which boards shall provide local police services with access to school premises or permit local police services to participate in school programs, and governing such access and participation;
- (c) prescribing the circumstances in which boards shall implement school resource officer programs, and governing such programs, including respecting their development and implementation, participation in the programs and review of the programs.

5 The Act is amended by adding the following section:

School names

Application for approval

174 (1) Before a board may name a new school or change the name of an existing school, the board shall apply to the Minister, in the form required by the Minister, for approval of the name.

Approval of current names

(2) If a board began using a new school name on or after January 1, 2025 but before the day section 5 of Schedule 2 to the *Supporting Children and Students Act, 2025* came into force, the Minister may require the board to apply for approval of the name.

Decision of Minister

(3) After reviewing an application made under subsection (1) or (2), the Minister shall,

- (a) approve the name, with or without conditions; or

- (b) reject the name.

Time for response

(4) If a time period is prescribed for the purposes of this subsection and the Minister does not respond within that time period, the name is deemed to be approved.

Use of name

(5) If the name is approved, the board may use the name after any conditions attached to the approval are satisfied.

Rejected name

(6) If the name is rejected,

(a) the board shall not use the rejected name and,

- (i) if the rejected name is the school's current name, shall immediately start using the school's previous name,
- (ii) if the rejected name is not the school's current name, shall continue to use the current name, and
- (iii) if the school does not currently have a name, shall create a temporary name for the school based on its address, as needed; and

(b) the board may reapply under subsection (1) in respect of a different name but shall comply with clause (a) until a new name, if any, is approved.

Regulations

(7) The Minister may make regulations prescribing a time period for the purposes of subsection (4).

Policies and guidelines

(8) The Minister may establish policies and guidelines and issue directions relating to processes for naming schools and require boards to comply with the policies, guidelines or directions.

6 Sections 230 to 230.3 of the Act are repealed and the following substituted:

Matters of public interest

230 (1) For the purposes of this Part, the following are matters of public interest:

1. Whether boards, board members and directors of education are carrying out their duties under this Act in an appropriate manner.
2. Any other matter that may be prescribed.

Same

(2) For greater certainty, and without limiting the generality of subsection (1), the duties referred to in paragraph 1 of subsection (1) include duties that relate to,

- (a) the delivery of education programs;
- (b) student achievement and well-being;
- (c) the financial affairs of a board and its use of resources;
- (d) the construction, maintenance, management, acquisition and disposition of capital assets;
- (e) board governance;
- (f) the day-to-day management of a board; and
- (g) the engagement of parents and other entities that may have an interest in the activities of a board.

Regulations

(3) The Lieutenant Governor in Council may make regulations for the purposes of paragraph 2 of subsection (1).

Investigation, board affairs

230.1 (1) The Minister may direct an investigation of a board's affairs if the Minister has concerns about a matter of public interest.

Appointment of investigator

(2) Where the Minister directs an investigation under subsection (1), the Minister may appoint as an investigator an employee in the Ministry or any other person or entity.

Powers of investigator

- (3) An investigator may,
- (a) require the production of any records that may in any way relate to the investigation;
 - (b) examine and copy any records required under clause (a); and
 - (c) require any officer of a board or any other person to appear before the investigator and give evidence, on oath or affirmation, relating to the investigation.

Application of *Public Inquiries Act, 2009*

- (4) Section 33 of the *Public Inquiries Act, 2009* applies to an investigation.

Report of investigator

- (5) On completion of an investigation, an investigator shall report in writing to the Minister.

Copy of report

- (6) If the Minister takes any action under this Act to address the findings of the report, including any action described in section 230.2 or 230.3, the Minister shall provide a copy of the report to the secretary of the board before or at the time the Minister takes the action.

Minister directions

230.2 (1) If in the opinion of the Minister, a board, board member or director of education has done or omitted to do something, or is likely to do or omit to do something, that could affect a matter of public interest, the Minister may give any directions to a board that the Minister considers advisable to address the matter.

Same

- (2) For the purposes of subsection (1), the Minister may direct a board to do one or more of the following:
1. To do anything, or refrain from doing anything, to address the matter of public interest, within the time period specified in the direction.
 2. To prepare, submit and implement, within the time period specified in the direction, a plan for addressing the matter of public interest.

Compliance required

- (3) A board that is given direction under this section shall comply with the direction within the time specified in it.

Public availability

- (4) The Minister may make directions under this section available to the public.

Vesting order

230.3 (1) Subject to subsection (2), the Minister may make any order that the Minister considers necessary or advisable to vest in the Minister control and charge over the administration of the affairs of a board in any of the following circumstances:

1. The board has failed to comply with a direction given under section 230.2 within the time specified in it.
2. In the opinion of the Minister, a board, board member or director of education has done or omitted to do something, or is likely to do or omit to do something, that could affect a matter of public interest.
3. Any other circumstance that may be prescribed.

Same

- (2) The Minister may make an order in the circumstances described in paragraph 2 of subsection (1) if,
- (a) an audit or investigation has taken place under this Act in relation to the matter of public interest and the Minister has received a report on the matter; or
 - (b) the Minister has notified the board of the Minister's intention to issue an order under subsection (1) and provided the board with the Minister's reasons, and has given the board no less than 14 days to respond.

Order to be given to board

- (3) The order shall be promptly given to the secretary of the board.

Provisional action

- (4) Despite subsection (2), the Minister may provisionally exercise the power to make an order set out in subsection (1) where, in the Minister's opinion, it is necessary to do so to avert an immediate threat to a matter of public interest.

Notice

(5) The Minister shall give written notice of the provisional exercise of the power and reasons for it to the board.

Regulations

(6) The Lieutenant Governor in Council may make regulations for the purposes of paragraph 3 of subsection (1).

7 (1) Subsection 230.4 (1) of the Act is amended by striking out the portion before clause (a) and clause (a) and substituting the following:

Notice of vesting order

(1) Where a board is subject to an order under subsection 230.3 (1),

(a) the Minister shall publish notice of the order in *The Ontario Gazette*; and

(2) Subsection 230.4 (5) of the Act is repealed and the following substituted:

Effect of order

(5) Subsection (2) does not apply in relation to a board that is subject to an order under subsection 230.3 (1) after the Minister makes an order of a type described in clause 230.5.1 (2) (b) or (i) with respect to the board.

8 Section 230.5 of the Act is repealed and the following substituted:

Control exercisable by Minister

230.5 (1) Where the Minister has made an order under subsection 230.3 (1) in respect of a board, the Minister has control and charge over the board generally with respect to any matter in any way affecting the board's affairs.

Same

(2) Without limiting the generality of subsection (1), where the Minister has made an order under subsection 230.3 (1) in respect of a board, the Minister has control and charge over the exercise and performance by the board of its powers, duties and obligations with respect to all matters, including but not limited to matters respecting,

- (a) the appointment and dismissal of the board's officers and employees and their powers, duties, salaries and remuneration;
- (b) the board's revenues and expenditures;
- (c) the board's sinking funds, retirement funds and the funds prescribed under clause 247 (3) (e) and the money belonging to those funds;
- (d) the board's accounting and audit systems and dealings with the board's assets, liabilities, revenues and expenditures;
- (e) the yearly or other estimates of the board, financial statements of the board and other reports of the board required by the Minister as well as the form, preparation and completion of them, and the times when they shall be made;
- (f) the amounts to be provided for in the yearly or other estimates;
- (g) the borrowing of money for the current expenditures of the board until the current revenue has been received;
- (h) the imposition, charging and collection of all fees, charges and expenses; and
- (i) the sale or other disposition of any of the board's assets.

Powers of Minister re debt

230.5.1 (1) In this section,

"indebtedness" includes,

- (a) any instrument prescribed under clause 247 (3) (f), debentures issued under a repealed provision or other debt of the board, and
- (b) any interest on any indebtedness of the board.

Same

(2) Where a board is subject to an order under subsection 230.3 (1), the Minister, with respect to the board's indebtedness, has the power by order to authorize or direct,

- (a) the consolidation of all or any part of the board's indebtedness;
- (b) the issue, on the terms and conditions, in the manner and at the times that the Minister may approve, of instruments prescribed under clause 247 (3) (f) or other evidences of indebtedness, in substitution and exchange for any debentures or such debt instruments that are outstanding or in payment and satisfaction of all or any part of any other indebtedness, and compulsory acceptance of those instruments or other evidences of indebtedness in payment and satisfaction of the instruments that are outstanding or other indebtedness;

- (c) the issue of new instruments prescribed under clause 247 (3) (f) to cover any consolidation under clause (a) or (b);
- (d) the retirement and cancellation of all or any part of the existing debenture debt and debt incurred by any instrument prescribed under clause 247 (3) (f) and debt instruments prescribed under clause 247 (3) (f) that are outstanding, on the issue of new debt instruments prescribed by clause 247 (3) (f) to cover them or in exchange for them;
- (e) the terms, conditions, places and times for exchange of new instruments prescribed under clause 247 (3) (f) for debt instruments that are outstanding;
- (f) the variation of the basis, terms, times and places of payment of all or any part of the board's indebtedness;
- (g) the creation and setting aside of sinking funds, retirement funds and funds prescribed under clause 247 (3) (e) and the restriction of money out of any portion of the revenues of the board for meeting obligations relating to all or any part of the board's indebtedness;
- (h) the custody, management, investment and application of sinking funds, retirement funds, funds prescribed under clause 247 (3) (e), deferred revenues and surpluses;
- (i) the ratification and confirmation of any agreement, arrangement or compromise entered into with any of the board's creditors respecting all or any part of the board's indebtedness;
- (j) any amendment or cancellation of any order made by the Minister under this section or of the terms of any agreement, arrangement or compromise ratified and confirmed by the Minister under clause (i); and
- (k) the implementation of an interim plan, pending a final plan, or of a final plan, which may cancel all or any portion of interest in arrears and may alter, modify or compromise the rights of debenture holders, holders of instruments prescribed under clause 247 (3) (f) or other creditors during any period of time between the relevant date of default and the end of the fifth year following the date on which the final plan was ordered implemented by the Minister.

Limitation

(3) The Minister shall not make any order under clause (2) (k) unless creditors, representing not less than two-thirds in amount of the aggregate of the indebtedness of the board, excluding indebtedness in respect of which the board is not directly but only contingently or collaterally liable, have filed in writing with the Minister their approval of the making of the order.

Publication of notice of intention to exercise powers

(4) Where the Minister intends to exercise a power under subsection (2), the Minister shall first give notice of the intention in *The Ontario Gazette* and by any other publication and to the persons and in the manner that the Minister considers proper.

Same

(5) The notice shall state the date after which the matter is to be dealt with by the Minister.

Same

(6) The time stated under subsection (5) shall be at least two months after the notice is published in *The Ontario Gazette*.

Incidental matters

(7) Subsection (4) does not apply with respect to any matter that, in the opinion of the Minister, is merely incidental to the exercise of a power under subsection (2).

Objection to be filed with Minister

(8) The Minister shall not make any order under subsection (2) if an objection in writing to the making of the order is filed with the Minister by creditors representing not less than one-third in amount of the aggregate of the indebtedness of the board, excluding indebtedness in respect of which the board is not directly but only contingently or collaterally liable.

Approval by creditors

(9) If creditors, representing not less than two-thirds in amount of the aggregate of the indebtedness of the board, excluding indebtedness in respect of which the board is not directly but only contingently or collaterally liable, have filed in writing with the Minister their approval of the making of any order of the Minister under subsection (1), it is not necessary that two months referred to in subsection (6) elapse.

Notice when matter to be varied

(10) When a matter is being dealt with by the Minister under this section and the Minister intends to vary the terms of any indebtedness, the Minister shall first give notice of the intention to the persons and in the manner that the Minister considers proper.

Same

(11) The notice shall state the date after which the variation is to be dealt with by the Minister.

Same

(12) The time stated under subsection (11) shall be at least two weeks after the notice.

Certain debenture and other debt not to form part of debt after order of Minister

230.5.2 After an order of the Minister has been made under section 230.5.1, no portion of the debenture debt of the board represented by debentures or debt incurred by any instrument prescribed under clause 247 (3) (f) ordered to be cancelled, retired or exchanged forms part of its debt within the meaning of a provision of this or any other Act limiting the board's borrowing powers.

Variation or cancellation of subsisting agreements

230.5.3 Where a board is subject to an order under subsection 230.3 (1), the board may, with the approval of the Minister, enter into an agreement with any person with whom the board has previously entered into an agreement or obligation that, or some term or obligation of which, remains in whole or in part or in any manner to be carried out by the board, for the amendment or cancellation of the subsisting agreement or obligation.

Minister to approve instrument issues

230.5.4 (1) Without the approval of the Minister first being obtained, a board that is subject to an order under subsection 230.3 (1) shall not, under this or any other Act, exercise or be required to exercise any of its powers if that exercise will or may require money to be provided by the issue of instruments prescribed under clause 247 (3) (f) of the board.

Approval of instrument by-laws

(2) Where a board is subject to an order under subsection 230.3 (1), the board may, with the approval of the Minister, pass by-laws providing for the issue of instruments prescribed under clause 247 (3) (f) or authorizing the sale of such instruments or the offering of such instruments as security, but no such by-law has any force and effect until approved by the Minister.

Minister to have control over money and its application

230.5.5 (1) Where a board is subject to an order under subsection 230.3 (1), the Minister has full charge and control over all money belonging to the board and received by any person for or on its behalf and the money shall be deposited in one of the following institutions, to be designated by the board or, in the absence of designation by the board, by the Minister:

1. A bank listed in Schedule I or II to the *Bank Act* (Canada).
2. A loan or trust corporation registered under the *Loan and Trust Corporations Act*.
3. A credit union as defined in the *Credit Unions and Caisses Populaires Act, 2020*.

Same

(2) When money is deposited as required by subsection (1), it shall only be applied for the purposes, in the manner and at the times that the Minister may approve.

Same

(3) All cheques drawn and issued by the board shall be signed and countersigned by the persons and in the manner that the Minister may authorize.

Same

(4) No money belonging to or revenues of the board may be applied by any person except with the approval of or otherwise than as directed by the Minister.

9 (1) Subsection 230.7 (1) of the Act is amended by striking out “and subsection 230.17 (3)”.

(2) Subsections 230.7 (3) and (4) of the Act are repealed and the following substituted:

Exclusive jurisdiction

(3) The Minister has exclusive jurisdiction as to the making of an order under subsection 230.3 (1), and that jurisdiction is not open to question or review in any proceeding or by any court.

Review of orders, etc.

(4) The Minister may at any time review any order made by the Minister under subsection 230.3 (1) and confirm, amend or revoke it.

10 Section 230.17 of the Act is repealed and the following substituted:

Revocation of order

230.17 The Minister shall revoke an order made under subsection 230.3 (1) if the Minister is of the opinion that the affairs of the board no longer need to be administered under this Part.

11 Part VIII of the Act is amended by adding the following section:

Transition

230.19.1 (1) The Lieutenant Governor in Council may make regulations respecting transitional matters related to the implementation of amendments made by Schedule 2 of the *Supporting Children and Students Act, 2025*.

Conflict with transitional regulations

(2) In the event of a conflict, a regulation made under subsection (1) prevails over provisions of an Act or regulation that are administered by the Minister.

12 Subsection 231 (4) of the Act is amended by striking out “subsection 230.3 (2) or 257.31 (2) or (3)” and substituting “subsection 230.3 (1)”.

13 Clause 232 (4) (d) of the Act is amended by striking out “subsection 230.3 (2) or 257.31 (2) or (3)” and substituting “subsection 230.3 (1)”.

14 Clause 243 (5) (b) of the Act is amended by striking out “subsection 230.3 (2) or 257.31 (2) or (3)” and substituting “subsection 230.3 (1)”.

15 The Act is amended by adding the following section:

Ministry auditor

252.1 (1) The Minister may appoint a ministry employee or any other person or entity to be a Ministry auditor for the purposes of this section.

Duties

(2) A Ministry auditor shall review documents of a board for the purpose of ensuring compliance with this Act and its regulations and policies and shall perform the other duties that are prescribed by the Minister under paragraph 30 of subsection 8 (1).

Rights of auditor

(3) A Ministry auditor may enter a building or premises used by a board at all reasonable hours and has the right of access to all records of the board and is entitled to require from the members and officers of the board any information and explanation that in the auditor’s opinion may be necessary to enable the auditor to carry out the auditor’s duties.

16 (1) Subsection 253 (1) of the Act is repealed and the following substituted:

External auditors

(1) Every board shall appoint one or more external auditors for a term not exceeding five years who shall be a person licensed under the *Public Accounting Act, 2004*.

(2) Subsection 253 (3) of the Act is amended by striking out “as an auditor” and substituting “as an external auditor”.

(3) Subsection 253 (4) of the Act is amended by striking out “An auditor of a board” at the beginning and substituting “An external auditor”.

(4) Subsection 253 (5) of the Act is repealed and the following substituted:

Rights of auditor

(5) An external auditor has the right of access at all reasonable hours to all records of the board and is entitled to require from the members and officers of the board any information and explanation that in the auditor’s opinion may be necessary to enable the auditor to carry out the auditor’s duties.

(5) Subsection 253 (6) of the Act is amended by striking out “\$200” in the portion after clause (b) and substituting “\$5000”.

(6) Subsection 253 (7) of the Act is amended by striking out “An auditor of a board” at the beginning and substituting “An external auditor”.

(7) Subsection 253 (8) of the Act is repealed and the following substituted:

Attendance at meetings of board

(8) An external auditor is entitled to attend any meeting of the board or of a committee of the board and to receive all notices relating to that meeting that a member is entitled to receive and to be heard at the meeting that the auditor attends on any part of the business of the meeting that concerns the auditor as auditor.

17 The Act is amended by adding the following section:

Internal auditor

253.0.1 (1) Every board shall employ one or more internal auditors or shall enter into an agreement for obtaining the services of one or more internal auditors.

Duties of auditor

(2) An internal auditor shall perform the duties that are prescribed by the Minister under paragraph 30 of subsection 8 (1) and any other duties that may be required by the board that do not conflict with the duties prescribed by the Minister.

18 Clause 257.29.1 (2) (c) of the Act is amended by striking out “Division D or”.

19 Division C.1 of Part IX of the Act is amended by adding the following sections:

Legislation Act, 2006, Part III

257.30 (1) Part III (Regulations) of the *Legislation Act, 2006* does not apply to anything done under any provision of this Division.

Non-application of Statutory Powers Procedure Act

(2) The *Statutory Powers Procedure Act* does not apply to anything done under this Division.

Municipal Affairs Act, Parts II and III

(3) Parts II and III of the *Municipal Affairs Act* do not apply in relation to boards.

Denominational, linguistic and cultural issues

257.31 (1) Nothing in this Division authorizes the Minister to interfere with or control,

- (a) the denominational aspects of a Roman Catholic board;
- (b) the denominational aspects of a Protestant separate school board; or
- (c) the linguistic or cultural aspects of a French-language district school board.

Same

(2) The powers under this Division shall be exercised in a manner that is consistent with,

- (a) the denominational aspects of a Roman Catholic board;
- (b) the denominational aspects of a Protestant separate school board; or
- (c) the linguistic or cultural aspects of a French-language district school board.

20 Division D of Part IX of the Act is repealed.

21 The following provisions of the Act are amended by striking out “subsection 230.3 (2)” wherever it appears and substituting in each case “subsection 230.3 (1)”:

1. Section 230.6.
2. Section 230.10.
3. Section 230.11.
4. Subsection 230.12 (3).
5. Section 230.14.

Commencement

22 This Schedule comes into force on the day the *Supporting Children and Students Act, 2025* receives Royal Assent.

SCHEDULE 3
MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES ACT

1 The *Ministry of Training, Colleges and Universities Act* is amended by adding the following section:

Application

16.0.2 (1) Subject to any exceptions set out in the regulations with respect to this section, this section applies to every college of applied arts and technology and to every publicly-assisted university with respect to every program of study offered at the college or university.

Admissions, merit-basis

(2) Every college or university referred to in subsection (1) shall,

- (a) ensure that when assessing applicants for the purposes of admission into a program of study, assessment is based on the merit of the individual applicant; and
- (b) publish, in a manner accessible to the public, the criteria and process to be used by the college or university in assessing applicants for admission into each program of study.

Regulations

(3) The Lieutenant Governor in Council may make regulations governing the criteria and process to be used by every college or university referred to in subsection (1) in assessing applicants for the purposes of admission into a program of study, and without limiting the generality of this power, may make regulations,

- (a) specifying criteria that must be or that may not be considered in assessing the merit of an applicant;
- (b) specifying, for the purposes of clause (2) (b), information that must be published and the manner in which it must be published;
- (c) providing for exceptions to subsection (2).

2 The Act is amended by adding the following section:

Research security plan

Application

20.1 (1) This section applies to every college of applied arts and technology and to every publicly-assisted university.

Development and implementation of plan

(2) Every college or university described in subsection (1) shall develop and implement a research security plan to safeguard, and mitigate the risk of harm to or interference with, its research activities.

Minister's directive

(3) The Minister may, from time to time, in a directive issued to one or more colleges or universities described in subsection (1),

- (a) specify the date by which a college or university's research security plan must be developed and implemented under subsection (2);
- (b) specify the date by which a plan must be provided to the Minister under subsection (4) and any requirements relating to updating or revising a plan; and
- (c) specify topics to be addressed or elements to be included in a plan and the date by which they must be addressed.

Review by Minister

(4) Every college or university described in subsection (1) shall provide the Minister with a copy of its research security plan and any other information or reports requested by the Minister in respect of research security.

Legislation Act, 2006

(5) Part III (Regulations) of the *Legislation Act, 2006* does not apply to a directive issued under this section.

3 The Act is amended by adding the following section:

Regulations; fees

21.1 (1) The Lieutenant Governor in Council may make regulations governing any fees that a college of applied arts and technology or publicly-assisted university charges to students or requires students to pay.

Same

(2) The fees referred to in subsection (1) include fees charged on behalf of, or for the purposes of, another entity.

Same

- (3) Without limiting the generality of subsection (1), a regulation made under that subsection may,
- (a) specify which fees may or may not be charged to students or required of students to pay by a college or university, including fees that students may only be charged or required to pay if they are refundable at the student's request;
 - (b) require a college or university to publish and make available to the public prescribed information about the fees referred to in clause (a) and prescribe the manner in which the information must be published and made available to the public;
 - (c) govern the manner in which the fees referred to in clause (a) are charged or refunded.

4 The Act is amended by adding the following section:**Conflict**

24 (1) If a provision in this Act or in a regulation made under this Act conflicts or is inconsistent with any other Act or regulation, this Act or the regulation made under it prevails to the extent of the conflict.

Same

- (2) Subsection (1) does not apply to a regulation made under section 18.

Commencement

5 This Schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.

**SCHEDULE 4
OMBUDSMAN ACT**

1 Subsection 1 (1) of the *Ombudsman Act* is amended by adding the following definition:

“person entitled to continued care and support” means a person with whom a children’s aid society is required to enter into an agreement to provide care and support under section 124 of the *Child, Youth and Family Services Act, 2017* or who is a party to such an agreement; (“personne ayant droit à des soins et à un soutien continu”)

2 Subsection 7.3 (4) of the Act is amended by adding “or a person entitled to continued care and support” after “a child”.

3 Subsection 14 (1.1) of the Act is amended by adding the following clause:

(a.1) any matter concerning a person entitled to continued care and support with respect to an agreement under section 124 of the *Child, Youth and Family Services Act, 2017*;

4 (1) Subsection 14.0.1 (1) of the Act is repealed and the following substituted:

Obligations of societies and licensees

(1) A children’s aid society shall inform children and young persons and persons entitled to continued care and support and a residential licensee shall inform children and young persons of the existence of the Ombudsman, of the Ombudsman’s functions under subsections 14 (1.1) and (1.3) and of how the Ombudsman may be contacted, and the children’s aid society or residential licensee shall do so using language that is suitable to the understanding of the child, young person or person entitled to continued care and support in question.

(2) Subsection 14.0.1 (2) of the Act is amended by striking out “child in care” and substituting “child or young person”.

(3) Subsection 14.0.1 (3) of the Act is amended by striking out “children in care” and substituting “children and young persons”.

(4) Section 14.0.1 of the Act is amended by adding the following subsection:

Same

(3.1) If a person entitled to continued care and support requests assistance from a children’s aid society with contacting the Ombudsman, the children’s aid society shall, without unreasonable delay, provide the person with the means to contact the Ombudsman privately.

(5) Subsection 14.0.1 (5) of the Act is repealed.

5 Subsection 16 (1.1) of the Act is amended by adding “or by a person entitled to continued care and support” after “young person”.

Commencement

6 This Schedule comes into force on the day the *Supporting Children and Students Act, 2025* receives Royal Assent.