[Français](http://www.ontario.ca/fr/lois/loi/90p35)

Provincial Schools Authority Act

R.S.O. 1990, Chapter P.35

**Consolidation Period:** From April 24, 2014 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2014, c. 5, s. 51](http://www.ontario.ca/laws/statute/S14005" \l "s51s1).

Legislative History: 1996, c. 12, s. 65; 1997, c. 31, s. 167; [2003, c. 2, s. 21](http://www.ontario.ca/laws/statute/S03002" \l "s21s1); [2006, c. 10, s. 65](http://www.ontario.ca/laws/statute/S06010" \l "s65); [2006, c. 19, Sched. L, s. 11 (3)](http://www.ontario.ca/laws/statute/S06019" \l "schedls11s3); [2006, c. 35, Sched. C, s. 112](http://www.ontario.ca/laws/statute/S06035" \l "schedcs112); [2014, c. 5, s. 51](http://www.ontario.ca/laws/statute/S14005" \l "s51s1).

Definitions

**1** In this Act,

“agreement” means a written collective agreement made pursuant to this Act between the Authority and the employee organization in respect of matters that are negotiable under this Act; (“convention”)

“Authority” means the Provincial Schools Authority; (“Administration”)

“employee organization” means the organization that is formed pursuant to this Act by teachers; (“association d’employés”)

“principal” means a person employed in a school,

(a) who is appointed to be in charge of the school, and

(b) who is a member of the Ontario College of Teachers or whose appointment is authorized by the Minister of Education and Training; (“directeur d’école”)

“school” means a school operated by,

(a) the Ministry of Correctional Services,

(b) the Ministry of Education, or

(c) the Ministry of Health and Long-Term Care,

but does not include a summer course or a correspondence course; (“école”)

“teacher” means a person employed in a school as a teacher, but not as a supervisory officer, a principal, a vice-principal or an occasional teacher, and,

(a) who is a member of the Ontario College of Teachers, or

(b) whose appointment as a teacher is authorized by the Minister of Education and Training; (“enseignant”)

“vice-principal” means a teacher who is appointed to be in charge of a school in the absence of the principal. (“directeur adjoint”) R.S.O. 1990, c. P.35, s. 1; 1996, c. 12, s. 65; 1997, c. 31, s. 167 (1-4); 2006, c. 10, s. 65; 2006, c. 19, Sched. L, s. 11 (3).

**Section Amendments with date in force (d/m/y)**

1996, c. 12, s. 65 - 20/05/1997; 1997, c. 31, s. 167 (1-4) - 01/01/1998

[2006, c. 10, s. 65](http://www.ontario.ca/laws/statute/S06010" \l "s65) - 01/06/2006; [2006, c. 19, Sched. L, s. 11 (3)](http://www.ontario.ca/laws/statute/S06019" \l "schedls11s3) - 22/06/2006

Provincial Schools Authority

**2** (1)  The authority known as the Provincial Schools Authority, consisting of five members appointed by the Lieutenant Governor in Council, is continued under the name of Provincial Schools Authority in English and under the name Administration des écoles provinciales in French. R.S.O. 1990, c. P.35, s. 2 (1).

Chair and vice-chair

(2)  The Lieutenant Governor in Council shall designate one of the members of the Authority as chair and one as vice-chair. R.S.O. 1990, c. P.35, s. 2 (2).

Secretary

(3)  The Authority shall appoint a secretary. R.S.O. 1990, c. P.35, s. 2 (3).

Remuneration

(4)  The members and the secretary of the Authority shall be paid such remuneration and expenses as are determined by the Lieutenant Governor in Council. R.S.O. 1990, c. P.35, s. 2 (4).

Money

(5)  The money required for the purposes of the Authority is payable out of money appropriated therefor by the Legislature. R.S.O. 1990, c. P.35, s. 2 (5).

Authority as employer

**3** (1)  The Authority employs the teachers and principals and vice-principals and none of them is or shall be deemed to be an employee of the Crown. 1997, c. 31, s. 167 (5); 2006, c. 35, Sched. C, s. 112.

Transition

(2)  The following credits and benefits stand to the credit of a teacher under the Authority’s retirement gratuity that is based upon sick leave credit:

1. The teacher’s sick leave credits under a contract of employment that vested in the Authority on July 18, 1975.

2. The teacher’s benefits under a contract of employment that vested in the Authority on July 18, 1975 respecting termination of employment. 1997, c. 31, s. 167 (5).

Principals, vice-principals

(3)  A principal or a vice-principal may perform the duties of a teacher despite any provision of a collective agreement. 1997, c. 31, s. 167 (5).

(4)  Repealed: R.S.O. 1990, c. P.35, s. 3 (5).

(5)  Spent: 1997, c. 31, s. 167 (5).

**Section Amendments with date in force (d/m/y)**

1997, c. 31, s. 167 (5) - 01/01/1998

[2006, c. 35, Sched. C, s. 112](http://www.ontario.ca/laws/statute/S06035" \l "schedcs112) - 20/08/2007

Employment of teachers

**4** (1)  Subject to subsection (2), the Authority is responsible for all matters relating to the employment of teachers, and for such purpose has all the powers and is subject to the duties and liabilities of a public board under the Education Act. R.S.O. 1990, c. P.35, s. 4 (1); 1997, c. 31, s. 167 (6).

Duties of teachers

(1.1)  Teachers who teach in a school operated by a Ministry referred to in the definition of “school” in section 1 have, with necessary modifications, the duties of teachers set out in the Education Act and in the regulations made under that Act. 2003, c. 2, s. 21 (1).

Administration

(2)  All matters relating to administration in respect of teachers who teach in a school operated by a Ministry referred to in the definition of “school” in section 1 are the responsibility of the deputy minister of the Ministry, and each such Ministry that operates a school shall provide the salaries and benefits of the teachers of such school in accordance with the collective agreements that apply with respect to the teachers. R.S.O. 1990, c. P.35, s. 4 (2); 1997, c. 31, s. 167 (7).

(3)  Repealed: 1997, c. 31, s. 167 (8).

Pensions

(4)  For the purposes of the Teachers’ Pension Act, a teacher employed by the Authority shall be deemed to be employed as a teacher by the minister of a ministry of the Government of Ontario. R.S.O. 1990, c. P.35, s. 4 (4).

(5)  Repealed: 1997, c. 31, s. 167 (9).

Application of Part X of *Education Act*

(6)  Part X of the Education Act applies with necessary modifications to the teachers and to the Authority. R.S.O. 1990, c. P.35, s. 4 (6).

**Section Amendments with date in force (d/m/y)**

1997, c. 31, s. 167 (6, 8, 9) - 01/01/1998; 1997, c. 31, s. 167 (7) - 31/08/1998

[2003, c. 2, s. 21 (1)](http://www.ontario.ca/laws/statute/S03002" \l "s21s1) - 03/06/2003

**5** (1-7)  Repealed: 2014, c. 5, s. 51 (2).

Closing of schools

(8)  In case of a strike against the Authority or a lockout by the Authority and subject to subsection (9), the Authority may close one or more schools if it is of the opinion that,

(a) the safety of pupils may be endangered during the strike or lockout;

(b) the school building or the equipment or supplies in the building may not be adequately protected during the strike or lockout; or

(c) the strike or lockout will substantially interfere with the operation of the school. 1997, c. 31, s. 167 (10).

Approval for lock-out, closure

(9)  Before closing a school or locking out members of a bargaining unit at a school, the Authority shall obtain the written approval of the minister responsible for the ministry that operates the school. 1997, c. 31, s. 167 (10).

**Section Amendments with date in force (d/m/y)**

1997, c. 31, s. 167 (10) - 01/01/1998

[2003, c. 2, s. 21 (2)](http://www.ontario.ca/laws/statute/S03002" \l "s21s2) - 03/06/2003

[2014, c. 5, s. 51 (2)](http://www.ontario.ca/laws/statute/S14005" \l "s51s2) - 24/04/2014

**6** Repealed: 2014, c. 5, s. 51 (3).

**Section Amendments with date in force (d/m/y)**

1997, c. 31, s. 167 (10) - 01/01/1998

[2014, c. 5, s. 51 (3)](http://www.ontario.ca/laws/statute/S14005" \l "s51s3) - 24/04/2014

Regulations

**7** (1)  The Lieutenant Governor in Council may make regulations governing terms and conditions of employment for principals and for vice-principals. 1997, c. 31, s. 167 (10).

Same

(2)  A regulation may establish different requirements for different classes of principal or vice-principal. 1997, c. 31, s. 167 (10).

**Section Amendments with date in force (d/m/y)**

1997, c. 31, s. 167 (10) - 01/01/1998

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