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Abstract

The advent of the Ontario College of Teachers (OCT) as a mode of teacher (and teacher education) governance in Ontario makes for an interesting case study in how aspects of neoliberal policy trends are realized through new forms of central government direction. Ontario's education system as a whole came under significantly enhanced centralized authority after 1995, with the beginning of the 'Harris-Eves era'. In the case of particular aspects of the restructuring of teacher governance through the OCT, an interesting example is provided of how strong government direction on the one hand, and neoliberal ideology on the other provided for a context of government-led marketization of important aspects of Ontario's teacher governance framework. Despite the election of a new Liberal government in October 2003, important facets of these changes remain in place.

Methodological Framework and Key Conceptions

Adopting a mode of critical policy analysis (Taylor et al., 1997), this paper probes particular aspects of the restructuring of teacher governance in Ontario through the Ontario College of Teachers (OCT), centering around the government's controversial 'teacher testing plan', launched in 2000. Through an examination of aspects of this plan and specifically the introduction of 'marketizing elements' within it, it is argued that strong central government direction facilitated neoliberal aspects of this restructuring. In particular, neoliberal modes of governance remain embedded into Ontario's teacher governance system, specifically in its in-service teacher education framework.

Critical policy analysis (CPA) – the chosen overarching framework for analysis - is set deliberately toward focusing on some of the policy issues which figure prominently as foci of interest in this paper with respect to restructuring through the OCT. Issues relating to neoliberalism and education restructuring, as well as an orientation toward critical perspectives and models related to social justice and equity concerns all feature in a CPA framework for inquiry (Taylor et al., 1997). Similarly, CPA as a methodological framework for researching educational policy processes is conceived by scholars within a tradition of literature looking at globalization processes, including shifts and tensions between the public and private in educational policy (Taylor et al., 1997, Henry et al., 1999).

In addition, with respect to appreciating teacher governance as a particular area of focus for analysis, the deliberately problematic framework offered by Dale is also of use in interpreting the complex nature of restructuring which the OCT offers to us. In an article on education restructuring and the state, Dale (1997) sets out a useful framework comprising a complex and nuanced means of understanding how financing, regulation, and provision of education may be split across the public/private divide in the context of education restructuring. Further, Dale delineates three discrete and complex categories of state, market and community to exemplify comparative variation in modes of restructuring across different contexts:

Figure 1: 'A Simple Representation of the Governance of Education'

Governance Activities	State	Market	Community
Funding			
Regulation			
Provision/Delivery			

(Dale, 1997, p. 275)

This framework emphasizes the point that rather than speak about 'privatization' or 'marketization' per se, it is useful to define in the scope of analysis what is actually meant in certain concrete cases and contexts. Thus, the development of discriminate categories, with the range of analytical options this provides to researchers of restructuring and governance of education, marks Dale's conceptualization of an analytical framework as a particularly useful one. This type of complex analysis, in turn (anti-'simplification', if you will), accords well with the CPA approach, where CPA itself emphasizes a complexified and 'non-linear' way of looking at problems of restructuring and policy issues in education.

In the context of this particular discussion, neoliberalism is used as a key working conception and integrating analytical framework to encapsulate themes and trends exemplified through this focused study of aspects of the restructuring of teacher governance through the OCT. Agreeing with Pannu (1996), neoliberalism can be characterized as the hegemonic policy discourse of our times. Predicated on historical developments which diverted attention for capital accumulation away from conventional areas of decreased profitability in the 1970s, neoliberalism represents an ideology which seeks to introduce the idea of market-style modes of governance into ever-increasing areas of social life in the context of advanced welfare states (George, 1999). Teeple (2000) has characterized this trend as one of exposing the underlying tendency of capitalism to encroach upon increasing areas of public life and goods, a trend Polanyi criticized through his central thesis of market society (1957). As potential for profit has been threatened by various economic exigencies and pressures, increased attention has turned toward the state as a means of guaranteeing or transforming governance toward an emphasis on the private, rather than the public, role in increasing areas of government activity, including social serivces. This is a phenomenon which continues apace as a policy trend and imperative today, reinforced through global trade regimes such as the World Trade Organization's General Agreement on Trade in Services (GATS), which seeks to codify through supranational law international trade in a host of (presently) public services such as education (at all levels) and health care, just to name a few (cf. Robertson, 2003; Grieshaber-Otto & Sanger, 2002)

As a policy discourse which is emblematic of these types of shifts, neoliberalism – for the purposes of this analysis – is understood as comprised of various 'constituent trends' which characterize it as a policy trend. Thus, within this context, 'marketization' is a broad term which been used commonly to denote the expansion and import of market forms and mechanisms into different social spheres – in this case, education – resulting in adoption of competition measures, incentives, and 'choice'. 'Commodification', as the move to

transforming formerly non-'traded' or commercial entities and services into 'buyable' and profit-oriented schemes, is obviously related to marketization. 'Deregulation' in this sense also refers to the removal of 'barriers' in the form of public regulation and control of services with a concomitant shift toward increased private sector roles, or 'privatization'. Finally, a continuum of 'centralization' and 'decentralization' refers to the respective concentration of governance in education at certain governmental levels or, correspondingly, a shift away (or 'devolution') from central authorities to more local levels in matters of policy and practice. In addition to these understandings of constituent trends or discourses within neoliberalism as a general policy discourse, I also add my own interpretation to the term. I suggest that neoliberalism represents a colonizing and imperialistic force as a discourse and set of policy trends. As the constituent trends within neoliberalism work to reframe aspects of social life – including public institutions and services – in the image of the market, these trends seek to 'translate' aspects of the social into marketable commodities and processes open to forms of competition and choice. I characterize this type of process as 'colonizing' in the sense of the dynamic of one set of 'languages' or policy discourses, that of the market, acting to redefine aspects of the social according to its own image. I use the term 'imperial' to denote that neoliberal policy discourses are global and wide-ranging, as well as to hint at the notion that these are not simply vague policy processes we are talking about but campaigns with real actors and real motivations, in the sense that there are actors within society who stand to benefit from the increased shift to market forms under hegemonic neoliberal policy regimes. In addition, the terms 'colonizing' and 'imperial' also serve to denote my open characterization of neoliberalism as a policy trend which represents entrenched powers and interests in advanced capitalist societies. I understand the ever-increasing imperial and colonizing force of 'marketizing' social and public spheres toward profit-making and commerce as a central feature of neoliberalism as a policy discourse.

The influence of this type of policy program/agenda and its intersection with modes of state policymaking represent the primary focus of interest for this paper. The complex mediation of state authority in shaping teacher governance, coupled with an interesting prevalence toward market policy mechanisms and governance structures, are the principal analysand and focus for discussion and scrutiny to follow.

The Ontario College of Teachers: Background and Areas of Focus

Smaller (1995) notes that the proposal for the creation of a professional College for Teachers in Ontario stretches back to the 19th century (p. 128). In more recent memory, the suggestion for the creation of a College came out of one of Ontario's most celebrated reports on education, the Hall-Dennis report of 1968. Recommendation 137 of that report stated that the Ontario legislature ought to "Enact a Teaching Profession Act which will make teaching a self-governing profession with powers to license and to discipline its members, these powers to be exercised through an organization to be known as the College of Teachers of Ontario" (Provincial Committee on Aims and Objectives of Education in the Schools of Ontario, 1968). The 1995 Royal Commission report and recommendations also reiterated the suggestion of creating a college. Its recommendation number 58 stated:

> That a professional self-regulatory body for teaching, the Ontario College of Teachers, be established, with the powers, duties, and membership of the College set out in legislation. The College should be responsible for determining professional standards, certification, and accreditation of teacher education programs. Professional educators should form a majority of the membership of the College, with substantial representation of non-educators from the community at large. (Royal Commission on Learning, 1995)

With the relevant legislation tabled in December, 1995, the College was officially launched the following September. The College's 31 governing council members (17 elected from the teacher population, 14 appointed by the government) assumed authority in March, 1997 following the College's first elections in February. From the beginning, the enterprise of the OCT was coloured by a strong government hand in directing the agenda of the new professional body. This theme was to remain a recurrent one throughout its mandate during the Harris/Eves governments in Ontario. The first Ontario College of Teachers Act (1996), set out the following objects as responsibilities of the new body:

1. To regulate the profession of teaching and to govern its members.

2. To develop, establish and maintain qualifications for membership in the College.

3. To accredit professional teacher education programs offered by post-secondary educational institutions.

4. To accredit ongoing education programs for teachers offered by post-secondary educational institutions and other bodies.

5. To issue, renew, amend, suspend, cancel, revoke and reinstate certificates of qualification and registration.

6. To provide for the ongoing education of members of the College, including professional learning required to maintain certificates of qualification and registration.

7. To establish and enforce professional standards and ethical standards applicable to members of the College.

8. To receive and investigate complaints against members of the College and to deal with discipline and fitness to practise issues.

9. To develop, provide and accredit educational programs leading to certificates of qualification additional to the certificate required for membership, including but not limited to certificates of qualification as a supervisory officer, and to issue, renew, amend, suspend, cancel, revoke and reinstate such additional certificates.

10. To communicate with the public on behalf of the members of the College.

11. To perform such additional functions as are prescribed by the regulations. 1996, c. 12, s. 3 (1); 2001, c. 14, Sched. B, s. 2.

(Ontario College of Teachers Act, 1996).

With its jurisdiction over accreditation concerns for pre- and in-service teacher education, professional disciplinary matters, and certification, the new College assumed several duties formerly handled by the Ministry of Education (continuing education and accreditation concerns) and by teacher union affiliates (professional discipline). Taking over from stipulations under the 1944 Teaching Profession Act that all teachers were to be, by law, members of a federation affiliate according to their place in the system (elementary/secondary) and gender, now College membership became a requirement for all teachers and payment of fees was required by all registered members.

In December 1998 the OCT released its 'Standards of Practice for the Teaching Profession', which is now a part of a framework entitled 'Foundations of Professional Practice' (Ontario College of Teachers, 2004). The standards reflected many of the legislation-mandated responsibilities as set out in the OCT Act. In addition, these new standards were employed in the first round of accreditation of Ontario Faculties of Education, conducted from 1997-2000. Under the headings 'Commitment to Pupils and Pupil Learning', 'Professional Knowledge', 'Teaching Practice', 'Leadership and Community', and 'Ongoing Professional Learning', the Standards of Practice set out what teachers/College members were to be expected of, and accountable for, in the new context. The role of these new standards in the every day working life of teachers, however, was not spelled out beyond a statement of principle. Their implementation was primarily confined to accreditation concerns. However, as these touched on in-service teacher education, the standards were to figure into – at least on the face of things – how the in-service component of the Harris government's most controversial plan involving the OCT was to go forward. This plan was of course the 'Ontario Teacher Testing Program', first mentioned by the Premier in the spring of 1999 during the Conservative election campaign, and officially launched in May of 2000 (Ontario Ministry of Education, 2000).

With the advent of the government's intentions regarding their teacher testing plan, relations between it and the OCT regarding progress on this particular matter became interesting, collusive, and at times, even strained. Following the premier's initial announcements regarding the plan – which involved the OCT but was not predicated on consultation with said body – negative reactions from the College concerning the idea of teacher 're-certification' (Ontario College of Teachers, 1999) prompted a round of official consultation with the OCT on the matter, initiated by the government. In a letter dating from November, 1999 sent by then-Minister of Education Janet Ecker to the College on this matter, the government set the tone by requesting that the College set the 'parameters' of their consultation on the basis that both entry-to-profession testing and re-certification were to be a part of any plan (Ontario College of Teachers, 2000). In their response (Ontario College of Teachers, 2000), the OCT followed the lead of the government in endorsing the implementation of an entry-to-profession test, while falling short on using the language and policy of 're-certification'. They did this despite the fact that use of the term had been a stipulation of the initial letter from the Minister requesting input from the College. However, one of the recommendations put forward by the OCT contained the complementary suggestion that 'professional portfolios' be maintained by teachers during a five-year period as a requirement.

Two pieces of legislation introduced in 2001 (in June and October of 2001 respectively), brought these two major components of the government's Teacher Testing Plan into being. Again, without formal consultation with the College regarding timing or planning specifics, the government set out a timeline which aimed to make the new entry-to-profession test – the Ontario Teacher Qualifying Test (OTQT) – an actual requirement to graduate by the spring of 2002. On the advice of the College, however, the government discounted the results for the first 'field test' of the OTQT in that year, keeping the first actual run until the following year, 2003. The 're-certification' plans, however, were legislated into being again over the protestations of the College (Ontario College of Teachers, 2001), who questioned the feasibility of implementing the program in the timeframe allowed, without specific direction by the way of financing the new in-service system.

The Professional Learning Plan: Introducing a Partly-'marketized' System

The proposed re-certification program for teachers was to be mandatory, and completed every five years by every member of the OCT. To complete the cycle - dubbed the 'Professional Learning Program' (PLP) - 14 approved courses had to be completed by each member, focusing on what were designated as 'core' areas: classroom management and leadership, communication with parents and students, curriculum, special education, student assessment, teaching strategies, use of technology, and electives. Implementation of the program was contested and slow-moving. It took nearly three years, for instance, to secure admissibility of university Faculty of Education courses - including those in graduate programs and in 'additional qualifications' (subject course qualifications) to be considered for credit toward the PLP. The reader may wonder why the past tense is being used, and it is with good reason: in fact, the PLP has been cancelled by the most recently-elected government of Ontario, as of December 2003 (OCT, 2003a).

However, the 'marketized' system of in-service teacher education provision that the PLP pioneered in Ontario remains as a framework, despite the fact that many providers have lost interest due to the bottoming out of this particular 'market'. The market element to the PLP consisted in the interesting fact that the College solicited proposals from a broad variety of groups seeking to become providers of officially-sanctioned PLP programs. As a matter of course, this list stretched beyond the traditional provision of in-service programming offered by boards, teacher unions or Faculties of Education. In fact, as of April 2003 the College announced that it had approved in total 434 providers for the PLP program.

Figure 1 (p. 40) shows private 'entities' and companies being in the forefront as per their representation as a percentage of the total actual number of providers, while Figure 2 (p. 40) shows that while this is the case, in fact the bulk of the percentage of courses offered was attributable to school board provision. While it is evident from these figures that - at least in actual course provision if not in number - private sector actors did not dominate provision of PLP courses and programs, it is significant that these companies had no officialized entry into providing such courses, except by the mandate and program

Figure 1:
Professional Learning Program: Provider Type

Provider Type	Actual Number	% of total
All school boards(Ontario school boards - 66)	70	16%
Independent schools	65	15%
Colleges and universities	61	14%
Professional education associations	45	10%
Government organizations	07	02%
Individual companies and entities	186	43%

(Ontario College of Teachers, 2003b)

Figure 2:
Professional Learning Program: Percentage of Courses Offered by Provider

Provider Type	% of total providers	Number of courses	% of total courses
School boards	16%	2162	52%
Independent schools	15%	199	05%
Colleges and universities	14%	777	18%
Professional associations	10%	372	09%
Government organizations	02%	122	03%
Individual companies and entities	43%	530	13%

(Ontario College of Teachers, 2003b)

of the centrally (government) created and directed OCT. Thus in this case it was a central agency of teacher education governance, steered somewhat at a distance by a busy governmental legislative agenda, that initiated a marketizing style of restructuring which sought to

'open the field' of PLP course provision to those outside of the public educational authorities and institutions which had hitherto been involved in such provision. This new marketized atmosphere created elements of both choice and competition as new providers attempted to stake out their 'market share' against existing providers. This dynamic also reflects neoliberal imperatives of deregulation – the stripping away of public/state-based structures and frameworks toward market ones – and commodification, or the 'privatizing' of formerly publicly controlled programs. Finally, with no financial support for teachers to take the PLP courses, the program was completely consumer-driven and financed, though mandated and regulated/legislated through the College and Ministry of Education.

Conclusion: The PLP as an Example of 'Centralized Marketization'

As we have seen, through an ambitious legislative program dubbed the 'teacher testing plan', successive Conservative governments in Ontario sought to forcefully manoeuvre the nascent OCT toward restructuring initiatives which included 'marketized' aspects, such as the PLP. This type of central direction represents an interesting mix of restructuring and governance which merits the type of complex framework for analysis suggested through CPA (Taylor et al., 1997) and by Dale (1997). With the 'state' in this case being a driving actor behind facilitation of 'market' involvement, any linear or straightforward framework pitting unproblematic categories of 'private' and 'public' against one another would belie the complexity of this particular situation. Indeed, this case exemplifies that restructuring trends with neoliberal elements can represent complex networks of collusion between interested governments and willing market actors. Of course, left behind in this drama of the OCT, provincial government and Ministry of Education are the teachers themselves, who never were directly consulted – through their affiliate federations or otherwise – as new modes of governance were thrust upon them. This aspect of restructuring through thte OCT, as well as that of the transformation of teacher education accreditation processes and the impact on both sectors, could form separate foci for analysis which are outside the scope of this paper. Nonetheless, all of these areas are intertwined in the tumultous story of education restructuring in Ontario under the Harris and Eves governments, which have left Ontario's education system utterly transformed in many ways (cf.

Majhanovich, 2002; Rezai-Rashti, 2002; Davidson-Harden, 2004; Anderson & Jaafar, 2003).

With a new government and its new set of priorities, observers and actors in Ontario's education system – particularly teachers – are anxious to see just how Premier McGuinty and his education minister, Gerard Kennedy seek to distance themselves from the Conservative legacy, as well as to follow through (or pass by) their election promises with respect to education. Regarding the OCT, the government has already made some strides. Cancellation of the PLP as a requirement of the Professional Learning Framework toward 're-certification' was welcomed by teachers. However, as noted here, the PLP's marketized framework remains intact, a precedent of sorts for an unchallenged marketization of aspects of Ontario education, despite the failure of previous attempts at quasi-privatization measures, such as the Conservatives' Equity in Education Tax Credit for private schools. The OTQT remains in place (at the time of writing), however, and though the new Education Minister has emphasized a program of 'revitalizing' the OCT (Ontario Ministry of Education, 2004), his promises to end the 'politicization' of the College have not materialized into any concrete policy action as of yet. What also remains to be seen is whether present or future provincial governments in Ontario will attempt to continue the trend of 'centralized marketization' or preference for neoliberal policy trends and mechanisms exemplified through the particular aspects of OCT-related restructuring analyzed here.

Notes

1. Also of interest here is the 'contracting out' of the development of the OTQT to the private company Educational Testing Services from Princeton, New Jersey. ETS is a major private player in testing in the U.S., administering and developing, among other major instruments, the S.A.T. and G.R.E. This use of a major private education firm is another potential example of privatization or marketization elements in teacher governance restructuring in Ontario through the OCT.

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