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Bill 166

(Chapter 11 of the Statutes of Ontario, 2024)

An Act to amend the Ministry of Training, Colleges and Universities Act

The Hon. J. Dunlop

Minister of Colleges and Universities

1st Reading	February 26, 2024
2nd Reading	March 7, 2024
3rd Reading	May 14, 2024
Royal Assent	May 16, 2024



EXPLANATORY NOTE

*This Explanatory Note was written as a reader's aid to Bill 166 and does not form part of the law.
Bill 166 has been enacted as Chapter 11 of the Statutes of Ontario, 2024.*

The Bill amends the *Ministry of Training, Colleges and Universities Act* with respect to colleges of applied arts and technology and publicly-assisted universities. The amendments include the following:

1. Every college and university is required to have a student mental health policy that describes the programs, policies, services and supports available at the college or university in respect of student mental health.
2. Every college and university is required to have policies and rules to address and combat racism and hate, including but not limited to anti-Indigenous racism, anti-Black racism, antisemitism and Islamophobia.
3. The Minister is authorized to issue directives in relation to the information to be provided about the costs associated with attendance at the college or university.

An Act to amend the Ministry of Training, Colleges and Universities Act

Preamble

Ontario has one of the best post-secondary education systems in the world.

The Government of Ontario is committed to supporting a post-secondary education system that is healthy and sustainable, so that students have the best post-secondary experience possible and are ready for the jobs and careers of today and tomorrow.

The Government of Ontario recognizes that post-secondary institutions play an integral role in delivering the highest quality programs to students and offering students the supports they need.

Post-secondary institutions should be an inclusive place for all. Students should feel safe when they are studying and know what supports are available if they need help.

Students and their families should know the costs associated with attending a college or university, such as ancillary fees or educational material costs.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 Subsection 4.1 (4) of the *Ministry of Training, Colleges and Universities Act* is repealed.

2 The Act is amended by adding the following sections:

Student mental health policy

Application

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

Contents

(2) Every college or university described in subsection (1) shall have a student mental health policy that describes the programs, policies, services and supports available at the college or university in respect of student mental health.

Additional contents

(3) In addition to satisfying subsection (2), a college or university described in subsection (1) shall address any topics in the policy and include any elements in the policy as may be specified by the Minister in a directive issued to the college or university under subsection (4) and shall do so no later than the date specified by the Minister in the directive.

Minister's directive

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

- (a) specify topics to be addressed or elements to be included in a college or university's policy and the date by which they must be addressed or included; and
- (b) specify steps that the Minister intends to take if, in the opinion of the Minister, a college or university fails to comply with subsection (2) or the directive.

Implementation

(5) Every college or university described in subsection (1) shall implement its student mental health policy.

Publication and review

(6) Every college or university described in subsection (1) shall,

- (a) publish its student mental health policy on its website and make a copy of the policy available to anyone who requests it; and
- (b) review its student mental health policy at least once every five years and amend it as appropriate.

Annual report

(7) Every college or university described in subsection (1) shall provide its board of governors with an annual report on the implementation and effectiveness of its student mental health policy in the preceding year.

Legislation Act, 2006

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

Policies and rules re racism and hate**Application**

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

Contents

(2) Every college or university described in subsection (1) shall have policies and rules that describe how the institution will address and combat racism and hate, including but not limited to anti-Indigenous racism, anti-Black racism, antisemitism and Islamophobia.

Additional contents

(3) In addition to satisfying subsection (2), a college or university described in subsection (1) shall comply with the requirements set out in any directive issued to the college or university under subsection (4) and shall do so no later than the date specified by the Minister in the directive.

Minister's directive

(4) The Minister may, from time to time, issue directives to one or more colleges or universities described in subsection (1) in relation to the manner in which their policies and rules address and combat racism and hate, including but not limited to anti-Indigenous racism, anti-Black racism, antisemitism and Islamophobia.

Contents

(5) Without limiting the generality of subsection (4), the Minister may, in a directive issued to one or more colleges or universities described in subsection (1),

- (a) specify topics to be addressed or elements to be included in a college or university's policies and rules and the date by which they must be addressed or included; and
- (b) specify steps that the Minister intends to take if, in the opinion of the Minister, a college or university fails to comply with subsection (2) or the directive.

Implementation

(6) Every college or university described in subsection (1) shall implement its policies and rules.

Publication and review

(7) Every college or university described in subsection (1) shall,

- (a) publish its policies and rules on its website and make a copy of the policies and rules available to anyone who requests it; and
- (b) review its policies and rules at least once every five years, or earlier as may be specified in a directive under subsection (4), and amend the policies and rules as appropriate.

Annual report

(8) Every college or university described in subsection (1) shall provide its board of governors with an annual report on the implementation and effectiveness of its policies and rules in the preceding year.

Legislation Act, 2006

(9) 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 sections:**Directives re costs****Application**

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

Directives

(2) The Minister may, from time to time, issue directives to one or more colleges or universities described in subsection (1) in relation to the information to be provided about the costs associated with attendance at the college or university.

Contents

(3) Without limiting the generality of subsection (2), the Minister may, in a directive issued to one or more colleges or universities described in subsection (1),

- (a) specify information that a college or university must provide to the public about the costs and the manner in which it must be provided as of a specified date; and
- (b) specify steps that the Minister intends to take if, in the opinion of the Minister, a college or university fails to comply with the directive.

Costs

(4) For greater certainty, the costs associated with attendance may include any ancillary fees and the costs of textbooks and other learning materials.

Compliance

(5) A college or university to whom a directive is issued under subsection (2) shall comply with the directive by the specified date.

Annual report

(6) Every college or university described in subsection (1) shall provide its board of governors with an annual report on the implementation in the preceding year of any applicable directives issued under subsection (2).

Legislation Act, 2006

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

Reports to Minister

22 (1) The Minister may require in writing that one or more colleges of applied arts and technology or publicly-assisted universities provide to the Minister, by a date and in a manner specified by the Minister,

- (a) a report regarding the college or university's student mental health policy required under subsection 19 (2);
- (b) a report regarding the college or university's policies and rules relating to racism and hate required under subsection 20 (2); and
- (c) if the Minister exercises any power or authority under sections 19 to 21 in respect of a matter, a report with respect to that matter.

Contents of report

(2) A report required under subsection (1) shall set out the information specified by the Minister.

Compliance

(3) A college or university shall comply with a Minister's requirement under subsection (1).

Powers not limited

23 For greater certainty, the conferring under this Act of any power or authority upon the Minister with respect to a college of applied arts and technology does not limit the power of the Minister to issue policy directives under subsection 4 (1) of the *Ontario Colleges of Applied Arts and Technology Act, 2002*.

Commencement

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

(2) Section 2 comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

5 The short title of this Act is the *Strengthening Accountability and Student Supports Act, 2024*.