GUIDELINE – EXCEPTION RE: EARLY CHILDHOOD EDUCATOR DESIGNATED POSITIONS IN FULL-DAY KINDERGARTEN CLASSES OPERATED BY THE TORONTO DISTRICT SCHOOL BOARD

PURPOSE AND APPLICATION

School boards are responsible for the provision of full-day junior kindergarten and kindergarten in accordance with the Education Act.

Subsection 170(1) of the Education Act requires schools boards to designate at least one position in each junior kindergarten and kindergarten class in each school of the board as requiring an early childhood educator and to appoint an early childhood educator to such positions. Ontario Regulation 224/10, “Full Day Junior Kindergarten and Kindergarten”, provides for an exception to these duties if there are fewer than 16 pupils enrolled in a class.

Subparagraph 3.0.0.1 (iv) of subsection 8(1), of the Education Act, provides that the Minister of Education has the authority to issue and require boards to comply with policies and guidelines governing all aspects of the operation of junior kindergarten and kindergarten, including policies and guidelines respecting the circumstances in which a board is not required to designate a position in a junior kindergarten or kindergarten class as requiring an early childhood educator or to appoint an early childhood educator to such a position. This Guideline is issued by the Minister pursuant to this authority.

This Guideline establishes a further exception from the requirement to designate a position in each full-day junior kindergarten and kindergarten class as requiring an early childhood educator, or to appoint an early childhood educator to such a position, for the Toronto District School Board for the 2012-13 and 2013-14 school years.

BINDING GUIDELINE

1. The Toronto District School Board (“the board”) is not required to designate a position in a junior kindergarten class, kindergarten class or combined junior kindergarten and kindergarten class as requiring an early childhood educator or to appoint an early childhood educator to such position if the board:

   i. Has appointed a teaching assistant to such class as of August 1, 2012, and such teaching assistant was employed by the board in the 2011-12 school year, reported through EFIS in the category Teaching Assistant – General – Regular Program in the 2011-12 school year, and has experience working as a teaching or education assistant in a class in the primary division of a school of the board.

   ii. Receives and keeps on file the appropriate documentation that confirms the teaching assistant:

      a) is registered and has enrolled, by September 7, 2012, in an early childhood education program offered by a college of applied arts and technology, or by an Ontario university, or by a private career college approved under the Private Career Colleges Act, 2008 to offer such program (“the postsecondary institution”) and the university or private career college program is approved by the College of Early Childhood Educators.

      b) has paid the tuition fees required by the institution for the upcoming academic semester by such date.

      c) has enrolled in and paid the tuition fees for each semester following, by the dates as required by the postsecondary institution, until the end of the program.
iii. Has established a process, to satisfy itself that the teaching assistant is making satisfactory academic progress towards acquiring the educational qualifications necessary to become a registered early childhood educator for each year the teaching assistant is enrolled in the program which includes:
   a) a mid-year and end-of-year check-in with the teaching assistant.
   b) obtaining verification, in accordance with the Municipal Freedom of Information and Protection of Privacy Act and the Freedom of Information and Protection of Privacy Act as may be relevant, from the postsecondary institution in which the teaching assistant is enrolled that the individual is maintaining satisfactory academic progress in the early childhood education program as determined by the postsecondary institution.

iv. Has established an information sharing process with the postsecondary institution to allow the board to obtain the verification of satisfactory academic progress as identified above in a timely manner.

v. Keeps on file documentation verifying that the teaching assistant is maintaining satisfactory academic progress in her or his program of study.

vi. Provides the appropriate oversight and guidance to the teaching assistant during the period that the exception is in place.

2. The exception no longer applies and the board shall immediately designate the position as requiring a registered early childhood educator and appoint an early childhood educator to the position if:
   i. the board fails to meet any of the conditions identified above;
   ii. the teaching assistant fails to make satisfactory academic progress as determined by the postsecondary institution; fails to continue to be enrolled in the early childhood education program; fails to pay the tuition fees in a timely fashion as required by the postsecondary institution;
   iii. the teaching assistant fails to provide the board with evidence satisfactory to the board of her or his satisfactory academic progress and payment of required tuition fees, or fails to permit the board to verify such academic progress and payment of tuition fees with the postsecondary institution; or
   iv. upon application for membership by the individual, the Ontario College of Early Childhood Educators has refused to issue the individual a certificate of registration.

3. The exception set out in this Guideline is in effect from September 1, 2012 to August 31, 2014.

4. The board must inform the individual, prior to the appointment of the individual to a teaching assistant position under the authority of this Guideline, of the terms and conditions set out in the Guideline and seek any consents that may be necessary to allow the board to comply with the terms and conditions in this Guideline.

5. The board Director of Education (or other official of the board as authorized by the board) must provide a written attestation to the Minister three times during the fall and winter semesters and two times during the summer semester of the program if any, confirming compliance with the conditions set out in this Guideline, including the identification of the number of teaching assistant positions in each school of the board to which the exception applies.

6. The board must provide evidence that it has complied with all of the conditions identified in this Guideline if asked to do so by the Minister.