

OECTA Brief
to the Standing Committee
on Social Policy

**Bill 242 An Act to amend the
Education Act and certain other
Acts in relation to early childhood
educators, junior kindergarten
and kindergarten, extended day
programs and certain other
matters**

James Ryan
President

Marshall Jarvis
General Secretary

March 2010

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ONTARIO ENGLISH
**Catholic
Teachers**
ASSOCIATION

The Ontario English Catholic Teachers' Association (OECTA) represents 45,000 women and men who have chosen teaching careers in the Catholic schools in Ontario. These teachers are found in the elementary panel from junior kindergarten to Grade eight, in the secondary panel from Grade nine through Grade twelve, and occasional teachers in both panels, in publicly funded schools.

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1. INTRODUCTION

- 1.01** The Ontario English Catholic Teachers' Association (OECTA) has expressed support for the McGuinty government's objective of a full-day Early Learning Kindergarten Program (ELKP) for every four-and five-year-old in Ontario. This is based on the knowledge and understanding our members have amassed over thirty years of delivering a full-day kindergarten program in many Catholic boards. OECTA understands the challenges associated with the delivery of the program and appreciates the benefits that it can provide.
- 1.02** By announcing that it would become the first jurisdiction in North America to offer an extended full-day kindergarten program to all four- and five-year-olds, Ontario has chosen to meet the challenges of the economic crisis by making a bold investment in our province's future. Our members view this as one of the wisest long-term investments that any government could make.
- 1.03** According to a 2007 UNICEF study, the countries that invest the highest proportions of their GDP in early learning - Denmark, Sweden and Norway - outrank Canada in child health and wellness and enjoy some of the world's highest literacy rates. In these countries, legislation, policy and curriculum development are dedicated to a model of social welfare that is based on "the conviction that all citizens, including children, should enjoy a high quality of life and an equal standard of living, as well as social and personal well-being." Kindergarten and child care are readily available without long waiting lists or a patchwork of services, at minimum or no cost to families.
- 1.04** The new full-day learning program will help address Ontario's current low international ranking in early learning. Although Canada is ranked

the fourth wealthiest among OECD nations, we rank lowest (14) in public spending on early learning and childcare programs for young children (0.25 per cent of GDP. According to 2006 OECD statistics, Australia spent 0.4 per cent and the U.S. spent 0.48 per cent. In terms of accessibility, the same report ranks Canada at the very bottom at less than a 0.30 per cent rate of access for three- to six-year-olds.

- 1.05** Ontario's new full-day learning initiative will provide equity for all four- and five-year-olds in Ontario. Today, children entering Grade 1 come from a variety of backgrounds. In addition to potential socio-economic differences, there may also be substantial variances in their cognitive, emotional and social abilities. Full-day kindergarten will help "level the playing field" for every child and give each one a greater chance of success.

- 1.06** OECTA members accept, with some reservations, the plan to make early childhood educators (ECEs) part of the new full-time professional team delivering the ELKP. Teachers understand that an important factor in the success of this bold initiative will depend on how well this professional team works together. For this reason the roles and responsibilities of each of these team members must be clearly delineated and understood from the outset.

- 1.07** Bill 242 provides the legislative framework for the ELKP by providing the necessary structure and direction for the five year phase-in of the program. OECTA recognizes that Bill 242 also provides broad powers to the Minister and cabinet to create policies and regulations for the ELKP as it is implemented. Therefore, it is critical that Bill 242 be correct from the beginning, thereby ensuring the policy and regulatory framework will be successful.

- 1.08** There must be opportunities to speak to aspects of the program that are addressed through policy and regulations. OECTA is confident that the government will continue the practice of ongoing partner consultation. Further, the Provincial Dialogue Table and subsequent local negotiations provided for professional development committees at the local board level. This guarantees OECTA involvement in the implementation and planning in school boards. Broader provincial based decision making should occur at the Tripartite Teacher Advisory Committee (TTAC).
- 1.09** Good legislation will provide a stable beginning for teachers, ECEs, principals and parents whose children will be entering the program this September. Although there will be many questions about this new program that can't be answered at this time, the essential elements must be clearly understood and accepted by the parties involved from the outset.
- 1.10** OECTA's vision of the ELKP is based on sound research and years of success teaching a full-day kindergarten program. The JK/K classes are the "core" of the ELKP program and must be taught by a certified teacher. Teachers must be the common element in all JK/K classes, with an ECE where student numbers warrant. Smaller JK/K classes should not require that an ECE be assigned to the core program, allowing funds to be redirected to ensure the aggregate class size average of 26 is also a hard maximum.
- 1.11** Where the student numbers warrant, ECEs will work with teachers to assist in the delivery of the ELKP. To ensure the program's success, the roles and responsibilities must be clear, understood, and should not overlap. Every good manager understands the need for role clarification.

- 1.12** When teachers and ECEs work together as a team, the teacher must be, as the government has indicated, the “lead”. This is reasonable given the teacher is responsible for report cards and preparation of the children for Grade 1. We do not live in an egalitarian utopia. It is reasonable to appreciate the need for a lead person in the JK/K classroom.
- 1.13** Without role clarification, the program could get bogged down. It is naïve and inappropriate to simply hope that the teacher and ECE will figure out their respective roles by themselves. Overlapping of responsibilities invites confusion, tension and conflict, none of which is good for the learning of children.
- 1.14** In our vision of a collaborative ELKP team, neither person participates in the evaluation or career development of the other. The current Teacher Performance Appraisal (TPA) recognizes this principle. Only the principal or supervisory officer is involved in the evaluation process of teachers. Only teachers who have volunteered are involved in the new teacher mentoring program. Mentoring a colleague is complicated if they are working as a team. For this reason teachers should not be involved in the ECE mentoring program as it will erode collegial collaboration and damage a healthy learning environment.
- 1.15** The extended day program is a critical component of the ELKP. However, it is important to recognize that some schools may not provide the program because of insufficient numbers. In other cases the extended program will include children older than five years. Regardless of the situation where the extended day program is operating, the ECE is solely responsible for the program with the principal as program supervisor. OECTA’s understanding is that teachers are not to be assigned any responsibilities for the extended day program.

1.16 OECTA believes that the Premier’s vision of the Early Learning Kindergarten Program will establish the necessary environment in which all children can thrive and succeed. OECTA is committed to working with the government to ensure Bill 242 and all subsequent regulations and policies provide the required parameters to make this vision a reality.

2. DISCUSSION

2.01 There are several aspects of Bill 242, *Full Day Early Learning Statute Law Amendment Act*, 2010, which OECTA believes require amendment.

2.02 Section 2 (1)

We believe that this section should be amended to ensure clarity that not every class will have an ECE assigned and that boards are not required to designate and staff ECE positions in all schools. This is fiscally responsible and what the government has committed to. It is not necessary to assign an ECE to a class with 12, or 15, or even 18 children. Teachers who currently have JK/K classes of these sizes have provided, and will continue to provide, a superior learning and care environment.

Recommendation:

Amend Section 2 (1) of Bill 242 as follows:

2 (1) Subsection 8 (1) of the Act is amended by adding the following paragraphs.

junior kindergarten and kindergarten

3.0.0.1 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,

- i. respecting the schools at which junior kindergarten and kindergarten are required and are not required to be operated,
- ii. respecting the schools which are required and are not required to designate positions as requiring an early childhood educator,
- iii. respecting the schools which are required and are not required to appoint an early childhood educator to positions designated as requiring an early childhood educator,
- ~~ii.~~ iv. respecting the hours during which and the days on which a board is required and is not required to operate junior kindergarten and kindergarten in one or more schools of the board, and
- ~~iii.~~ v. respecting curriculum and programs for junior kindergarten and kindergarten.

2.03 Section 4 (1)

To ensure clarity that not all schools will be required to have an ECE in the JK/K class

Recommendation:

Amend Section 4 (1) of Bill 242 as follows:

4 (1) Subsection 11 (1) of the Act is amended by adding the following paragraphs.

junior kindergarten and kindergarten

6.1 governing all aspects of the operation of junior kindergarten and kindergarten, including regulations,

- i. respecting the schools at which junior kindergarten and kindergarten are required and are not required to be operated,
- ii. respecting the schools which are required and are not required to designate positions as requiring an early childhood educator;
- iii. respecting the schools which are required and are not required to appoint an early childhood educator to positions designated as requiring an early childhood educator;
- ii. iv. respecting the hours during which and the days on which a board is required and is not required to operate junior kindergarten and kindergarten in one or more schools of the board, ~~and~~
- iii. v. respecting curriculum and programs for junior kindergarten and kindergarten;

2.04 Section 4 (7)

The Association has serious concerns with the proposal to change the current language in paragraph 29 of subsection 11 (1) of the current Act. The change in language, seemingly minor, may actually be interpreted to mean that the government intends to change how a person may be deemed qualified to teach. This is a significant change, and without consultation, is completely unacceptable to OECTA.

Recommendation:

Delete Section 4 (7) of Bill 242 as follows:

~~4(7) Paragraph 29 of subsection 11 (1) of the Act is repealed and the following substituted:~~

~~qualification to teach~~

~~29. prescribing specific qualifications and experience required for the purpose of qualifying a person to teach in specified areas or positions; [N.B. This would leave the existing paragraph 29 as is.]~~

2.05 Section 6 (2)

Bill 242 proposes to remove requirements that principals and teachers be members of the College of Teachers. The Association would view any move in this direction to be an attack on our professionalism.

Recommendation:

Delete Section 6 (2) of Bill 242 as follows:

~~6 (2) Paragraph 12 of subsection 170 (1) of the Act is repealed and the following substituted:~~

~~appoint principal and teachers~~

~~12. appoint a principal and an adequate number of teachers for each school of the board; [N.B. This would leave the existing paragraph 12 as is.]~~

2.06 Clarity is needed to ensure that it is understood that not every class will require an ECE. We need clarity to avoid confusion and prevent school boards from acting in an arbitrary manner. This amendment supports the amendments to subsection 2 (1) and 4 (1) of Bill 242 set out above.

Recommendation:

Amend Section 6 (2) of Bill 242 as follows:

(2) Paragraph 12 of subsection 170 (1) of the Act is repealed and the following substituted:

[...]

designate early childhood educator positions

12.0.1 ~~subject to~~ if required by policies and guidelines issued under paragraph 3.0.0.1 of subsection 8 (1) and or regulations made under paragraph 6.1 of subsection 11 (1), and subject to these policies, guidelines and regulations, designate at least one position in each junior kindergarten and kindergarten class in each school of the board as requiring an early childhood educator; appoint early childhood educators

12.0.2 ~~subject to~~ if required by policies and guidelines issued under paragraph 3.0.0.1 of subsection 8 (1) and or regulations made under paragraph 6.1 of subsection 11 (1), and subject to these policies, guidelines and regulations, appoint an early childhood educator to each position designated under paragraph 12.0.1;

2.07 Section 6 (4)

As stated earlier, it is important that Bill 242 makes it clear that every class will have a teacher. Clarity on this important issue is essential. Good laws have clear, unambiguous language. It is important that Boards clearly understand that they must appoint a teacher to every JK/K class.

Recommendation:

Amend Section 6 (4) of Bill 242 as follows:

6 (4) Subsection 170 (2) of the Act is repealed and the following substituted:

Full-day junior kindergarten and kindergarten

(2) For the purposes of paragraph 6.2 of subsection (1), a board operates full-day junior kindergarten and kindergarten in a school if junior kindergarten and kindergarten operate during substantially the same period of time that classes in the first three years of the program of studies immediately following kindergarten are held in the school.

Designated early childhood educator additional to teacher

(2.1) An early childhood educator appointed to a position under paragraph 12.0.2 of subsection (1) shall be in addition to the teacher assigned or appointed to teach the junior kindergarten or kindergarten class.

Duty to appoint teacher

(2.2) For greater certainty, a board shall appoint a teacher to each junior kindergarten and kindergarten class in each school of the board. A teacher appointed to teach a junior kindergarten or kindergarten class shall not be appointed to more than one class in any one period.

2.08 Section 7

Bill 242 seeks to change the responsibilities of the Lieutenant Governor in Council by expanding the ability to make regulations relating to Educational Assistants (EAs) working with ECEs. Currently EAs assist teachers in the classroom. Given the intention of the government to maintain the teacher as the lead in the classroom it is inconsistent to create a legislative framework which also assigns the EA the same responsibility to the ECE. This will create unnecessary confusion.

Furthermore, this is unnecessary because no regulation currently exists that governs the duties and minimum qualifications of EAs.

Recommendation:

Amend Section 7 of Bill 242 as follows:

~~170.3 The Lieutenant Governor in Council may make regulations governing the duties and minimum qualifications of persons who are assigned~~

~~a) To assist teachers or to complement instruction by teachers in elementary or secondary schools.; or~~

~~b) To assist designated early childhood educators or to complement the work designated early childhood educators in junior kindergarten, kindergarten or extended day programs.~~

[N.B. This would leave the existing s. 170.3 as is and would mean that Cabinet would not have the power to make regulations governing duties and qualifications of persons assigned to assist ECEs]

2.09 Section 8 (2)

Currently the Act makes it very clear who can supervise teachers and despite the new program, this must not change. Bill 242 addresses the need for school boards to appoint a “supervisor” during the extended day program. The Bill should be clear that this person would have no jurisdiction over teachers or the core program. While in most cases the school principal will supervise the teacher and ECE in the ELKP, the Bill should separate out supervision of ECEs from the supervision of teachers.

Recommendation:

Delete Section 8 (2) of Bill 242 as follows:

~~**8 (2) Paragraph 5 of subsection 171 (1) of the Act is repealed and the following substituted:**~~

~~**appointment of supervisors**~~

~~**5. appoint persons to supervise teaching staff and persons in positions designated by the board as requiring an early childhood educator and every appointee shall hold the qualifications and perform the duties required under any Act or regulation administered by the Minister;**~~

~~[** NB This would leave the existing paragraph 5 as is]~~

Substitute with:

8 (2) Subsection 171 (1) is amended by adding the following paragraph:

supervisors of early childhood educators

5.1 appoint persons to supervise persons in positions designated by the board as requiring an early childhood educator and every appointee shall hold the qualifications and perform the duties required under any Act or regulation administered by the Minister.

2.10 Section 10 Part IX.1 Extended Day Programs

As previously stated, it is necessary to make it clear that not every school will operate an extended day program because of enrollment demands and shifts in demographics. Bill 242 addresses this reality by allowing school boards to enter into sharing agreements.

Recommendation:

Amend Section 10 of Bill 242 as follows:

Operation of extended day programs by boards

259. (1) If required to do so by regulations, policies and guidelines made under this Part, and subject to these regulations, policies and guidelines made under this Part, every board shall operate extended day programs in every elementary school of the board, on every school day, other than professional activity days, outside the time when junior kindergarten and kindergarten are operated in the school, for pupils of the board who are enrolled in junior kindergarten or kindergarten.

2.11

The word “class” is commonly understood to refer to classes during the school day. The Act refers to class sizes, class averages, class regulations, reporting class sizes and secondary class regulations. The use of the word outside of the school day is confusing and misleading. The word should not be used when referring to the extended day program.

Recommendation:

Amend Section 10 of Bill 242 as follows:

Designate early childhood educator positions

260. (1) Subject to the regulations, policies and guidelines made under this Part, every board shall designate at least one position in each extended day program ~~class~~ in each school of the board as requiring an early childhood educator to lead the ~~class~~ extended day program.

2.12 As stated earlier, it is important that Bill 242 is clear in its intent so as to avoid confusion and misinterpretation. Teachers are not involved in the extended day program and should not be appointed to supervise the program.

Recommendation:

Amend Section 10 of Bill 242 as follows:

Delegation by principal

260. 2 A principal may delegate any of his or her duties under this Act that relate to the operation of the extended day programs to a vice-principal or another person approved by the board that is not a teacher.

2.13 Section 16

The proposed subsection 264.1 (1) is unnecessary for teachers (and temporary teachers) as the Act already includes the duty to coordinate and cooperate. The current subsection 264 (1) (d) in the Act states that it is the duty of a teacher to “assist in developing co-operation and co-ordination of efforts among members of the staff of the school.” The new section in Bill 242 is redundant and unnecessary for teachers and temporary teachers. We recommend that teacher and temporary teacher be deleted from the section so that it pertains only to ECEs.

Recommendation:

Amend Section 16 of Bill 242 as follows:

Duty of ~~teachers and~~ designated early childhood educators to cooperate, etc.

264.1 (1) It is the duty of the following persons ~~to coordinate the matters listed in subsection (2)~~ and to cooperate with teachers and each other with respect to those the matters listed in subsection (2):

- ~~1. Teachers.~~**
- ~~2. Temporary teachers.~~**
- 3. Designated early childhood educators.**
- 4. Persons who, under the authority of a letter of permission, are appointed by a board to positions designated by the board as requiring an early childhood educator.**

Same

(2) The matters referred to in subsection (1) are:

- 1. Assist teachers in planning for and providing education to pupils in junior kindergarten and kindergarten.**
- 2. Observing, monitoring and assessing the development of pupils in junior kindergarten, kindergarten and extended day programs.**
- 3. Maintaining a healthy physical, emotional and social learning environment.**
- 4. Informal communication with families.**
- 5. Performing all duties assigned to them by the principal with respect to junior kindergarten, kindergarten and extended day programs.**

2.14 Section 264 (3) is ambiguous. We believe the intent is to emphasize that the teacher alone has duties related to the preparation and completion of reports cards. However, there are other duties required by Acts and Regulations in addition, such as discipline, that are performed by

teachers. Therefore to make the intent of Section 264 (3) perfectly clear, it is necessary to add that any other current duties of teachers, not specified in section 264 (3), will be performed by teachers only. ECEs are limited to those outlined in section 264 (2).

Recommendation:

Amend Section 16 of Bill 242 as follows:

Duties of teachers not limited

264.1 (3) Nothing in this section limits any duties of teachers under this Act, including duties related to the preparation and completion of report cards. Nothing in this section limits the effect of section 262 of the Act.

2.15 Section 17

It is necessary to ensure that the Act is clear that ECEs will perform duties during the school day only in JK/K classes.

Recommendation:

Amend Section 17 of Bill 242 as follows:

265 (1) (e) to prepare a timetable, to conduct the school according to the timetable and relevant school year calendar, to make the timetable and calendar accessible to pupils, teachers, designated early childhood educators and supervisory officers, to assign classes and subjects to teachers and to assign junior kindergarten and kindergarten classes to designated early childhood educators.

2.16 Section 21

It is important that the team of teachers and ECEs work in a collaborative environment. Teachers should not be expected to participate

in the performance appraisal of their teammates. Likewise, teachers should not be expected to mentor an ECE. That would lead to a disharmonious relationship and would not foster the cooperation that is needed for the program to be successful.

Recommendation:

Amend Section 21 of Bill 242 as follows:

277.47 (1) Subject to the regulations, every board may establish and implement an induction program for its new designated early childhood educators.

Same

(2) If required by the regulations, every board shall, subject to the regulations, establish and implement an induction program for its new designated early childhood educators.

Same

(3) An induction program for new designated early childhood educators shall contain the following elements:

- 1. An orientation for new designated early childhood educators.**
- 2. Mentoring for new designated early childhood educators.**
- 3. Professional development and training appropriate for new designated early childhood educators.**
- 4. Such other elements as are prescribed.**

Teachers not to mentor early childhood educators

(4) Teachers shall not mentor early childhood educators under any circumstances.

Performance appraisals

277.48 (1) Subject to the regulations, every board may establish and implement a program for conducting performance appraisals of its designated early childhood educators.

Same

(2) If required by the regulations, every board shall, subject to the regulations, establish and implement a program for conducting performance appraisals of its designated early childhood educators.

Teachers not to conduct or participate in the performance appraisals of early childhood educators

(3) Teachers shall not conduct or participate in the performance appraisals of early childhood educators under any circumstances.

2.17 The ELKP is a revolutionary and exciting educational initiative that will change the face of education. Change is often difficult especially if there are unknown elements or when it is happening quickly. Bill 242 is moving at break neck speed. Introduced February 17, 2010, it may have final reading by early April: two months.

2.18 There is much to absorb in a short time. The Ministry is currently re-writing the kindergarten program and has promised that a draft will be ready for teachers to review in April. Curriculum normally takes years, not months to rewrite. Nonetheless, we sincerely hope that teachers receive the revised JK/K program as early as possible. Our members will want to have a deep understanding of it before they begin their long-term planning for September.

2.19 However, if teachers have to do all their planning in cooperation with ECEs, who may not be employed until September as the Bill currently requires, then preparation for the classes will be delayed. Teachers must be the lead in this program. Bill 242 must be amended to make this clear to the education community. The program cannot begin in September in confusion and uncertainty,

2.20 Teachers and ECEs deserve to know their respective roles. Clarity is essential where two separate professions are required to deliver a new learning program. Confusion and uncertainty over roles can only be prejudicial to the children who are intended to benefit from this historic change. We urge you to make the appropriate changes to Bill 242 that will allow teachers and ECEs to understand their respective roles in order to develop the harmonious relationship necessary for the success of the ELKP and our children.

3. RECOMMENDATIONS

3.01 Amend Section 2 (1) of Bill 242 as follows:

2 (1) Subsection 8 (1) of the Act is amended by adding the following paragraphs.

junior kindergarten and kindergarten

3.0.0.1 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,

- i. respecting the schools at which junior kindergarten and kindergarten are required and are not required to be operated,**
- ii. respecting the schools which are required and are not required to designate positions as requiring an early childhood educator,**
- iii. respecting the schools which are required and are not required to appoint an early childhood educator to positions designated as requiring an early childhood educator,**
- ii: iv. respecting the hours during which and the days on which a board is required and is not required to operate junior kindergarten and kindergarten in one or more schools of the board, and**
- iii: v. respecting curriculum and programs for junior kindergarten and kindergarten.**

3.02 Amend Section 4 (1) of Bill 242 as follows:

4 (1) Subsection 11 (1) of the Act is amended by adding the following paragraphs.

junior kindergarten and kindergarten

6.1 governing all aspects of the operation of junior kindergarten and kindergarten, including regulations,

- i. respecting the schools at which junior kindergarten and kindergarten are required and are not required to be operated,**
- ii. respecting the schools which are required and are not required to designate positions as requiring an early childhood educator;**
- iii. respecting the schools which are required and are not required to appoint an early childhood educator to positions designated as requiring an early childhood educator;**
- ii. iv. respecting the hours during which and the days on which a board is required and is not required to operate junior kindergarten and kindergarten in one or more schools of the board, and**
- iii. v. respecting curriculum and programs for junior kindergarten and kindergarten;**

3.03 Delete Section 4 (7) of Bill 242 as follows:

~~**4 (7) Paragraph 29 of subsection 11 (1) of the Act is repealed and the following substituted:
qualification to teach**~~

~~29. prescribing specific qualifications and experience required for the purpose of qualifying a person to teach in specified areas or positions; [N.B. This would leave the existing paragraph 29 as is.]~~

3.04 Delete Section 6 (2) of Bill 242 as follows:

~~6 (2) Paragraph 12 of subsection 170 (1) of the Act is repealed and the following substituted:~~

~~appoint principal and teachers~~

~~12. appoint a principal and an adequate number of teachers for each school of the board; [N.B. This would leave the existing paragraph 12 as is.]~~

3.05 Amend Section 6 (2) of Bill 242 as follows:

~~(2) Paragraph 12 of subsection 170 (1) of the Act is repealed and the following substituted:~~

~~[...]~~

~~designate early childhood educator positions~~

~~12.0.1 subject to if required by policies and guidelines issued under paragraph 3.0.0.1 of subsection 8 (1) and or regulations made under paragraph 6.1 of subsection 11 (1), and subject to these policies, guidelines and regulations, designate at least one position in each junior kindergarten and kindergarten class in each school of the board as requiring an early childhood educator; appoint early childhood educators~~

12.0.2 ~~subject to~~ if required by policies and guidelines issued under paragraph 3.0.0.1 of subsection 8 (1) ~~and~~ or regulations made under paragraph 6.1 of subsection 11 (1), and subject to these policies, guidelines and regulations, appoint an early childhood educator to each position designated under paragraph 12.0.1;

3.06 Amend Section 6 (4) of Bill 242 as follows:

6 (4) Subsection 170 (2) of the Act is repealed and the following substituted:

Full-day junior kindergarten and kindergarten

(2) For the purposes of paragraph 6.2 of subsection (1), a board operates full-day junior kindergarten and kindergarten in a school if junior kindergarten and kindergarten operate during substantially the same period of time that classes in the first three years of the program of studies immediately following kindergarten are held in the school.

Designated early childhood educator additional to teacher

(2.1) An early childhood educator appointed to a position under paragraph 12.0.2 of subsection (1) shall be in addition to the teacher assigned or appointed to teach the junior kindergarten or kindergarten class.

Duty to appoint teacher

(2.2) For greater certainty, a board shall appoint a teacher to each junior kindergarten and kindergarten class in each school of the board. A teacher appointed to teach a junior kindergarten or

kindergarten class shall not be appointed to more than one class in any one period.

3.07 Amend Section 7 of Bill 242 as follows:

~~170.3 The Lieutenant Governor in Council may make regulations governing the duties and minimum qualifications of persons who are assigned~~

~~a) To assist teachers or to complement instruction by teachers in elementary or secondary schools.; or~~

~~b) To assist designated early childhood educators or to complement the work designated early childhood educators in junior kindergarten, kindergarten or extended day programs.~~

[N.B. This would leave the existing s. 170.3 as is and would mean that Cabinet would not have the power to make regulations governing duties and qualifications of persons assigned to assist ECEs]

3.08 Delete Section 8 (2) of Bill 242 as follows:

~~8 (2) Paragraph 5 of subsection 171 (1) of the Act is repealed and the following substituted:~~

~~appointment of supervisors~~

~~5. appoint persons to supervise teaching staff and persons in positions designated by the board as requiring an early childhood educator and every appointee shall hold the qualifications and perform the duties required under any Act or regulation administered by the Minister;~~

[** NB This would leave the existing paragraph 5 as is]

Substitute with:

8 (2) Subsection 171 (1) is amended by adding the following paragraph:

supervisors of early childhood educators

5.1 appoint persons to supervise persons in positions designated by the board as requiring an early childhood educator and every appointee shall hold the qualifications and perform the duties required under any Act or regulation administered by the Minister.

3.09 Amend Section 10 of Bill 242 as follows:

Operation of extended day programs by boards

259. (1) If required to do so by regulations, policies and guidelines made under this Part, and subject to these regulations, policies and guidelines made under this Part, every board shall operate extended day programs in every elementary school of the board, on every school day, other than professional activity days, outside the time when junior kindergarten and kindergarten are operated in the school, for pupils of the board who are enrolled in junior kindergarten or kindergarten.

3.10 Amend Section 10 of Bill 242 as follows:

Designate early childhood educator positions

260. (1) Subject to the regulations, policies and guidelines made under this Part, every board shall designate at least one position in each extended day program ~~class~~ in each school of the board as requiring an early childhood educator to lead the ~~class~~ extended day program.

3.11 Amend Section 10 of Bill 242 as follows:

Delegation by principal

260.2 A principal may delegate any of his or her duties under this Act that relate to the operation of the extended day programs to a vice-principal or another person approved by the board that is not a teacher.

3.12 Amend Section 16 of Bill 242 as follows:

Duty of ~~teachers and~~ designated early childhood educators to cooperate, etc.

264.1 (1) It is the duty of the following persons ~~to coordinate the matters listed in subsection (2) and~~ to cooperate with teachers and each other with respect to ~~those~~ the matters listed in subsection (2):

- ~~1. Teachers.~~**
- ~~2. Temporary teachers.~~**
- 3. Designated early childhood educators.**
- 4. Persons who, under the authority of a letter of permission, are appointed by a board to positions designated by the board as requiring an early childhood educator.**

Same

(2) The matters referred to in subsection (1) are:

- 1. Assist teachers in planning for and providing education to pupils in junior kindergarten and kindergarten.**
- 2. Observing, monitoring and assessing the development of pupils in junior kindergarten, kindergarten and extended day programs.**

3. Maintaining a healthy physical, emotional and social learning environment.
4. Informal communication with families.
5. Performing all duties assigned to them by the principal with respect to junior kindergarten, kindergarten and extended day programs.

3.13 Amend Section 16 of Bill 242 as follows:

Duties of teachers not limited

264.1 (3) Nothing in this section limits any duties of teachers under this Act, including duties related to the preparation and completion of report cards. Nothing in this section limits the effect of section 262 of the Act.

3.14 Amend Section 17 of Bill 242 as follows:

265 (1) (e) to prepare a timetable, to conduct the school according to the timetable and relevant school year calendar, to make the timetable and calendar accessible to pupils, teachers, designated early childhood educators and supervisory officers, to assign classes and subjects to teachers and to assign junior kindergarten and kindergarten classes to designated early childhood educators.

3.15 Amend Section 21 of Bill 242 as follows:

277.47 (1) Subject to the regulations, every board may establish and implement an induction program for its new designated early childhood educators.

Same

(2) If required by the regulations, every board shall, subject to the regulations, establish and implement an induction program for its new designated early childhood educators.

Same

- (3) An induction program for new designated early childhood educators shall contain the following elements:**
- 1. An orientation for new designated early childhood educators.**
 - 2. Mentoring for new designated early childhood educators.**
 - 3. Professional development and training appropriate for new designated early childhood educators.**
 - 4. Such other elements as are prescribed.**

Teachers not to mentor early childhood educators

(4) Teachers shall not mentor early childhood educators under any circumstances.

Performance appraisals

277.48 (1) Subject to the regulations, every board may establish and implement a program for conducting performance appraisals of its designated early childhood educators.

Same

(2) If required by the regulations, every board shall, subject to the regulations, establish and implement a program for conducting performance appraisals of its designated early childhood educators.

Teachers not to conduct or participate in the performance appraisals of early childhood educators

(3) Teachers shall not conduct or participate in the performance appraisals of early childhood educators under any circumstances.