

ONTARIO REGULATION 321/10

made under the

EDUCATION ACT

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Amending O. Reg. 225/10

(Extended Day Programs)

Note: Ontario Regulation 225/10 has not previously been amended.

1. Section 12 of Ontario Regulation 225/10 is revoked and the following substituted:

BOARD APPROVAL OF DELEGATION BY PRINCIPAL

Board approval

12. (1) A board may by resolution give approval to a principal to delegate some or all of his or her duties related to the operation of extended day programs to persons other than a vice-principal if the delegation is in accordance with the following:

1. The delegation is to,
 - i. a person appointed by a board under paragraph 5.1 of subsection 171 (1) of the Act to supervise persons in positions designated by the board as requiring an early childhood educator,
 - ii. a person appointed by a board under subsection 260 (2) of the Act to an early childhood educator position in an extended day program unit that is designated as requiring an early childhood educator, or
 - iii. a person who the principal considers able to fulfil the duties responsibly.
2. The duties delegated to a person described in subparagraph 1 iii may only be exercised in the event of an emergency and if,
 - i. no person described in subparagraph 1 i or ii is available, and
 - ii. there is no vice-principal employed in the principal's school or there is a vice-principal employed in the principal's school and the principal has already delegated the duties to be delegated to the vice-principal but he or she is not available.
3. A delegation under subparagraph 1 iii shall be for a temporary period that the principal considers appropriate in the circumstances.
4. A delegation under subparagraph 1 iii shall comply with guidelines, if any, established by the board under subsection (2).

(2) A board may establish guidelines respecting the categories of persons who may be delegates under subparagraph 1 iii of subsection (1).

(3) The board's approval shall require that a delegation by a principal be in writing and include the following:

1. The name of the individual appointed as a delegate.
2. The scope of a delegation, including the duties being delegated and any conditions on the exercise of those duties.
3. The duration of the delegation.
4. Any other matter that the board considers should be included in writing in the delegation.

(4) Despite subsection (3), in the case of a delegation under subparagraph 1 iii of subsection (1), the matters referred to in paragraphs 1 to 4 of subsection (3) may be specified orally at the time of the delegation and confirmed in writing by the principal within such time period as the board may specify.

(5) A board's approval shall include directions respecting a principal's duty to monitor the manner in which delegates fulfil their duties.

(6) A board's approval shall require the principal to ensure that any board policy governing emergency procedures, including emergency notifications, is readily available to every person to whom the principal delegates duties.

(7) A board's approval shall require principals to provide copies of delegations and confirmations to such persons as the board may specify.

APPOINTMENTS — EARLY CHILDHOOD EDUCATORS

Appointment to early childhood educator positions, urgent situations

13. (1) Subject to section 14, where no early childhood educator is available, a board may appoint, to an extended day program position designated by the board as requiring an early childhood educator, a person who is not,

- (a) an early childhood educator; or
- (b) a person authorized by a letter of permission to be appointed to a position designated by the board as requiring an early childhood educator.

(2) A person appointed under subsection (1) shall be 18 years of age or older and hold an Ontario secondary school diploma, a secondary school graduation diploma or a secondary school honour graduation diploma, or an equivalent to any of them.

(3) An appointment under this section is valid for 10 school days commencing with the day on which the person is appointed.

(4) A board shall submit an annual report to the Minister, and any additional reports that the Minister may require, about appointments made under this section.

(5) A report shall address such matters as the Minister may specify and shall be submitted within the time and in the form that the Minister may specify.

Appointment to early childhood educator positions, urgent or letter of permission

14. (1) A board shall not appoint a person to an extended day program position designated by the board as requiring an early childhood educator under section 13, or in accordance with a letter of permission, if the person is or has ever been a member of the College of Early Childhood Educators.

(2) A board shall not appoint a person to an extended day program position designated by the board as requiring an early childhood educator under section 13, or in accordance with a letter of permission, unless the person has provided to the board a written statement that any early childhood education certificate or licence granted to him or her by another jurisdiction is not cancelled, suspended or revoked for any reason other than failure to pay fees or levies to the governing body.

Certificate cancelled, revoked or suspended

15. A person whose early childhood education certificate of registration is cancelled, revoked or suspended by the College of Early Childhood Educators shall not be appointed to an extended day program position designated by a board as requiring an early childhood educator.

2. (1) Items 39, 40, 41 and 42 of Schedule 1 to the Regulation are amended by striking out “2010/2011” wherever it appears in Column 3 and substituting in each case “2011/2012”.

(2) Schedule 1 to the Regulation is amended by striking out “CÉP du Centre-Sud-Ouest” in the row between items 70 and 71 and substituting “CSD du Centre-Sud-Ouest”.

(3) Schedule 1 to the Regulation is amended by striking out “CÉP du Grand Nord de l’Ontario” in the row between items 75 and 76 and substituting “CSD du Grand Nord de l’Ontario”.

3. Item 49 of Schedule 2 to the Regulation is amended by striking out “Peterborough V N C Catholic DSB” in Column 2 and substituting “Peterborough Victoria Northumberland & Clarington Catholic DSB”.

4. This Regulation comes into force on the day it is filed.

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Back to top