

MEMORANDUM TO: Directors of Education
Supervisory Officers and Secretary Treasurers of School Authorities

FROM: Barry Pervin
Assistant Deputy Minister
Instruction and Leadership Development Division

DATE: September 8, 2010

RE: **Amendments to Regulation 298 Concerning the Assignment of Exchange Teachers**

The purpose of this memo is to make you aware of amendments that have been made to Regulation 298 to clarify the rules for appointing and assigning exchange teachers. These amendments, made by O. Regulation 341/10, were filed on September 3, 2010.

Each school year, many Ontario school boards are involved in teacher exchange programs, through which a teacher from Ontario may exchange his or her teaching-related position with an exchange teacher from another country or province. The amendments should result in minimal changes to existing practices related to teacher exchanges.

The newly added section 22.1 of Regulation 298 provides school boards with the authority to appoint exchange teachers, including exchange teachers who are not members of the Ontario College of Teachers, to teaching and teaching-related positions for up to one year. Appointments can be made for further periods of up to one year for exchange teachers who continue to meet the provisions set out in the regulation.

The new section also identifies the requirements for a board to appoint or assign an exchange teacher, including:

- the board is satisfied that the exchange teacher has a teaching certificate that is in good standing in his or her home jurisdiction;
- the exchange teacher is employed as a teacher, or in another position requiring the individual to be a teacher, outside of Ontario;
- the school board has conducted a reference check of the exchange teacher and is satisfied with the results;
- the board has collected criminal background information on the exchange teacher from national data maintained in Canada, and if the individual is from outside of Canada, from national data maintained by the exchange teacher's home jurisdiction; and
- the board has agreed to assign the exchange teacher in exchange for another jurisdiction agreeing to assign an Ontario teacher employed by the board to a teaching position in that other jurisdiction.

As is the requirement for any teacher assignment or appointment, a board will be required to have due regard for the provision of the best possible program and the safety and well-being of the pupils when assigning or appointing an exchange teacher.

A copy of O. Reg. 341/10 is attached for your reference. It may be found on the e-laws website at www.e-laws.gov.on.ca. The updated version of Ontario Regulation 298, incorporating the amendments, will be available on the e-laws website within the near future.

If you have any questions, please contact Eric Ward at eric.ward@ontario.ca or (416) 325-8227.

Sincerely,

Original signed by

Barry Pervin

Attachments

C. Regional Office Managers