

Date of Issue: August 18, 2010**Effective:** Until revoked or modified**Subject:** APPLICATIONS FOR LETTERS OF PERMISSION FOR POSITIONS
REQUIRING A REGISTERED EARLY CHILDHOOD EDUCATOR**Application:** Directors of Education
Supervisory Officers of School Authorities**Reference:** Ontario Regulation 322/10, “Letters of Permission – Early Childhood Educators”

INTRODUCTION

The Education Act requires school boards¹ to designate at least one position in each full-day Junior Kindergarten or Kindergarten class in each school of the board and in each extended-day program unit as requiring a registered early childhood educator – that is, a member of the College of Early Childhood Educators.²

Ontario Regulation 322/10, “Letters of Permission – Early Childhood Educators”, came into force on August 16, 2010. This regulation governs requirements for school boards regarding applications for Letters of Permission to appoint persons who are not registered early childhood educators to positions designated as requiring a registered early childhood educator.

The purpose of this memorandum is to provide boards with information on requirements for submitting an application, a description of the application process, and the application form.

LEGISLATIVE AUTHORITY

Subsection 8(1), paragraph 10.1, of the Education Act provides that the Minister may grant a Letter of Permission to a school board authorizing the board to appoint for a period not exceeding one year an individual who is not a member of the College of Early Childhood Educators – that is, an individual who is not a registered early childhood educator – to a position in a Junior Kindergarten or Kindergarten class or in an extended-day program unit designated as requiring a registered early childhood educator, if the Minister is satisfied that no registered early childhood educator is available.

1. In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

2. Members of the College of Early Childhood Educators are authorized to use the title “early childhood educator” or “registered early childhood educator”.

The Minister has delegated authority to grant Letters of Permission to the regional managers of the regional offices of the ministry.

Ontario Regulation 322/10 sets out the criteria governing the granting of Letters of Permission. The regulation can be found on the Ontario government website, at www.e-laws.gov.on.ca.

REQUIREMENTS FOR SCHOOL BOARDS

School boards must make every effort to appoint individuals who are registered early childhood educators to positions that the board has designated as requiring an early childhood educator. Such efforts include reviewing the board list of occasional registered early childhood educators for potential candidates for the vacant position.

The following requirements apply to school boards that submit applications for Letters of Permission authorizing them to appoint a person who is not a registered early childhood educator to a position designated as requiring an early childhood educator on or after August 18, 2010.

Application Process for a Letter of Permission

To request a Letter of Permission, the director of education of a board, the secretary of a board, or the supervisory officer of a school authority must submit a completed Application for an Early Childhood Educator Letter of Permission to the appropriate regional office of the ministry.

A school board cannot submit an application until at least the seventh day after the closing date of a competition to fill a position for an early childhood educator.

Every application must include a signed declaration of the director of education of the board, the secretary of the board, or the supervisory officer of the school authority stating that the requirements of the regulation have been met. This declaration must also include confirmation that no registered early childhood educator applied for the position for which the Letter of Permission is being requested, or, if a registered early childhood educator did apply, he or she did not accept the position.

School boards must be able to provide evidence that they have complied with the requirements set out in the regulation, if asked to do so by the Minister.

Fulfilment of Advertising Requirements

The advertising requirements set out in Ontario Regulation 322/10 reflect the requirement that school boards demonstrate that they have made reasonable efforts to make registered early childhood educators aware of the vacant early childhood educator position for which the Letter of Permission is being requested.

On the application form, school boards must declare that they have advertised at least once the position designated as requiring a registered early childhood educator for which the Letter of Permission is being requested. This advertisement must have been made public in the following ways:

- The advertisement must have been published in a daily newspaper that has provincial circulation in Ontario (e.g., *The Globe and Mail*, *The National Post*, *Le Droit*) for at least three days, and at least one of those days must have been “within the five days before the closing date of the competition for the position”.
- The advertisement must have been published on a publicly accessible website that is approved by the Minister for at least ten days, and it must not have been removed before the closing date of the competition for the position. Approved websites are www.educationcanada.com, www.workopolis.com, www.applytoeducation.com, and www.jobsineducation.com.

School boards must include a declaration on the application that every day that the advertisement was publicly available was “within the 30 days before the closing date of the competition for the position”. The advertisement must also have included the following information:

- the closing date of the competition for the position
- details of the position
- the duration of employment

Beginning in the 2011–12 school year, boards will also have to declare on the application form that the advertisement was published on at least two job-posting websites, approved by the Minister, of a university, college of applied arts and technology, or private career college³ offering early child education diploma or degree programs. Where the chosen institution does not have a career website or location for job postings, the board must forward the advertisement to the heads of early childhood education departments or equivalent positions.

Background Checks

School boards are required to confirm that they have made every effort to ensure student safety. On the application form, they must declare that they have conducted a reference check of the individual they propose to appoint under the Letter of Permission for a position designated as requiring a registered early childhood educator and that they are satisfied with the results. Boards also must declare that they have collected “a personal criminal history” of this individual, as defined in Ontario Regulation 521/01, “Collection of Personal Information”, made under the Education Act.

On the application form, school boards must also include a declaration that the individual they propose to appoint to the position meets the following requirements:

- He or she is eighteen years of age or older, and holds an Ontario Secondary School Diploma, a Secondary School Graduation Diploma, or a Secondary School Honour Graduation Diploma, or the equivalent.
- He or she is not and has never been a member of the College of Early Childhood Educators.

3. Private career colleges must be registered under the Private Career Colleges Act, 2005.

- He or she has given the board a written statement that any certificate or licence granted to him or her by another jurisdiction for the practice of early childhood education is not cancelled, revoked, or suspended for any reason other than for failure to pay fees or levies to the governing body.

Subsequent Appointments Under the Authority of Letters of Permission for Positions Designated as Requiring an Early Childhood Educator

School boards must declare that an individual being considered for two or more appointments under Letters of Permission for positions designated as requiring an early childhood educator has provided the board with documentation to demonstrate that he or she has made progress towards obtaining the qualifications necessary to become a member of the College of Early Childhood Educators since the date that the most recent Letter of Permission was granted, and that the board is satisfied with the documentation.

Documentation may include, but is not limited to, the following:

- transcripts
- the acceptance letter from, or confirmation of registration in, an early childhood education program approved or accepted by the College of Early Childhood Educators and offered by a college of applied arts and technology, university, or private career college

Beginning in 2011–12, in cases where two or more Letters of Permission have been granted to a board to appoint an individual to a designated early childhood educator position and the individual has not been able to make progress towards becoming a member of the College of Early Childhood Educators owing to extenuating circumstances (e.g., maternity leave, illness, disability, lack of availability of courses), the board is required to obtain from the individual relevant and satisfactory documentation and information with respect to the extenuating circumstances.

An individual cannot be appointed under Letters of Permission to positions designated as requiring an early childhood educator for more than a total of four years.

School boards are encouraged to develop a performance appraisal process for individuals working as early childhood educators under an early childhood educator Letter of Permission.

Starting Date and Duration of Employment

School boards must ensure that the anticipated starting date for employment in the early childhood educator position for which they are requesting a Letter of Permission is no later than thirty days after the closing date of the competition for the position. If a Letter of Permission is granted, it is effective as of the starting date of employment in the position.

School boards must also ensure that the duration of appointment to the position for which they are requesting a Letter of Permission does not exceed one year (that is, twelve months).

BOARD REVIEW OF LETTERS OF PERMISSION

Letters of Permission are granted only when a registered early childhood educator is not available or is not willing to accept the appointment to a position designated as requiring an early childhood educator, so it is important that boards regularly review their usage of Letters of Permission for appointing individuals to positions requiring an early childhood educator. School board staffing committees (or the equivalent) are requested to review and discuss at least once a year the board data on Letters of Permission with their board.

MINISTRY CONTACT

School board officials who have questions about the application process for the new early childhood education Letter of Permission should direct them to the Early Learning education officer at their local ministry regional office.

APPLICATION FOR AN EARLY CHILDHOOD EDUCATOR LETTER OF PERMISSION, 2010–11

On behalf of
(name of school board)

a Letter of Permission is requested in order to appoint

.....
(name in full)

to a position in.....
(a Junior Kindergarten or Kindergarten class or an extended-day program unit)

designated by the board as requiring a registered early childhood educator

atschool,

from 20..... to 20.....

Closing date of the competition for the position: 20.....

DECLARATION

I hereby declare that the school board has complied with Ontario Regulation 322/10, "Letters of Permission – Early Childhood Educators", made under the Education Act, and that the following requirements have been met:

- ☐ No registered early childhood educator (i.e., a member of the College of Early Childhood Educators) has applied for the position or no registered early childhood educator who applied for the position has accepted it.
- ☐ The board has publicly advertised at least once the position referred to in this application in the following ways:
 - ☐ The advertisement was published in a daily newspaper that has provincial circulation in Ontario for at least three days, and at least one of those days was within the five days before the closing date of the competition for the position.
 - ☐ The advertisement was published on a publicly accessible website that is approved by the Minister for at least ten days, and it was not removed before the closing date of the competition for the position.
- ☐ Every day that the advertisement appeared was within the thirty days before the closing date of the competition.
- ☐ The individual named in this application meets the following requirements:
 - ☐ He or she is eighteen years of age or older, and holds an Ontario Secondary School Diploma, a Secondary School Graduation Diploma, or a Secondary School Honour Graduation Diploma, or the equivalent.
 - ☐ He or she is not and has never been a member of the College of Early Childhood Educators.
 - ☐ He or she has given the board a written statement declaring that any early childhood education certificate or licence granted to him or her by another jurisdiction is not cancelled, revoked, or suspended for any reason other than for failure to pay fees or levies to the governing body.
- ☐ The board has conducted the following background checks of the individual named in this application:
 - ☐ The board has collected "a personal criminal history", as defined in Ontario Regulation 521/01, "Collection of Personal Information", made under the Education Act.
 - ☐ The board has conducted a reference check of the individual, and is satisfied with the results.

In addition, I declare that the board has reviewed its list of occasional registered early childhood educators, if any, and has not identified an available or willing candidate for the position.

.....
Date

.....
Signature
Director of education of the board, secretary of the board, or supervisory officer of the school authority

.....
Print name
Director of education of the board, secretary of the board, or supervisory officer of the school authority