

# Submission to the Standing Committee on Social Policy

re: Bill 242, *the Full Day Early Learning  
Statute Amendment Act, 2010*

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Bill 242, the *Full Day Early Learning Statute Law Amendment Act, 2010*, provides the framework for phasing in full-day early learning for kindergarten-aged children over the next six years and for establishing an exciting early childhood education program that will establish Ontario as an educational leader within Canada. The Elementary Teachers' Federation of Ontario (ETFO) welcomes the opportunity to participate in the Standing Committee on Social Policy's review of the bill. The federation supports the government's overall plan for early learning and welcomes the opportunity to identify provisions of the bill that need to be clarified or addressed in order to ensure the success of the Early Learning Program and to avoid potential confusion and conflict as the initiative rolls out beginning in September 2010.

Ontario elementary teachers have a proud history of providing high quality kindergarten programs that date back to when the first public kindergarten class opened its doors in Toronto in 1883. While compulsory education in the province doesn't begin until grade 1, the vast majority of parents of four- and five-year-olds have taken advantage of the junior and senior kindergarten programs offered by publicly-funded school boards across the province. Although some boards have found the resources to offer full-day, every day kindergarten programs, most kindergarten students attend half-day or full-day, alternate day programs.

The government's plan to ultimately provide universal access to full-day programs reflects what the research clearly says about investing in early years education. Current research demonstrates that full-day kindergarten programs contribute to

school readiness, improved literacy achievement in higher grades, narrowing the gap in achievement levels for disadvantaged students, improved retention rates, and better integration of kindergarten into the elementary school community. Judging by the early reports on registrations for next fall's first phase of the Early Learning Program, full-day programs are welcomed and supported by parents. By establishing an enhanced education program for kindergarten-aged children, Ontario is also moving one step closer to catching up with the more extensive and highly successful early childhood education programs provided by other industrialized nations.

### **EARLY LEARNING PROGRAM STAFFING MODEL**

The government's Early Learning Program goes well beyond the 2007 Liberal campaign promise to expand kindergarten to full-day programs. By adopting a model that integrates early childhood educators into the classroom alongside a teacher, the Province is introducing an element that will contribute to the quality of the program. Early childhood educators' background in early child development will enhance the play-based philosophy of the program and complement the skills and knowledge of the teacher. This unique staffing model, however, poses some challenges that need to be addressed through amendments to Bill 242.

#### **- Duty of Teachers and Early Childhood Educators to Cooperate**

Section 16 of the bill adds Section 264.1 to the Act and establishes a duty to cooperate on the part of teachers and early childhood educators regarding provision

of the Early Learning Program. Subsection 264.1 (2) identifies the specific aspects of the program delivery that will require cooperation. This section of the bill raises a number of concerns. Clause 264 (1) (d) of the *Education Act* already establishes a teacher's general duty to cooperate regarding working with other members of the school staff. The detailed and prescriptive nature of the bill's new Section 264.1 is unnecessary. It would be more appropriate to include a mirror "duty to cooperate" provision for early childhood educators assigned to the Early Learning Program and to leave the specific details of program delivery to future Ministry of Education policies and guidelines. Bill 242 anticipates such policies and guidelines.

Specifically, under Section 2 of the bill, a new paragraph (3.0.0.1) is added to Subsection 8 (1) of the Act which adds the power to issue policies and guidelines governing all aspects of the operation of kindergarten, including curriculum and program, to the powers of the minister. Similarly, section 4 of the bill amends Subsection 11 (1) of the Act to extend the government's regulatory powers to include "all aspects of the operation of junior kindergarten and kindergarten."

#### **- Teachers' Overall Responsibility**

Section 264.1 also lacks clarity regarding the teacher's responsibility "to teach" and for having the lead responsibility for the Early Learning Program. While ETFO is committed to supporting a collaborative relationship in the classroom between the two professionals that fully respects the expertise and qualifications of the early childhood educator, the failure to clearly identify the teacher as having overall responsibility, or the "lead" role, will invite confusion and conflict. The bill does not

anticipate what will occur in situations where the teacher and early childhood educator fail to agree with respect to the specific responsibilities. Most schools will likely offer extended day programs before and after the regular school day. This will necessitate assigning two early childhood educators to each class. Teachers therefore will be collaborating with more than one early childhood educator. The more staff involved, the more likely there will be instances of differing opinion.

Section 262 of the *Education Act* stipulates that no person shall be employed in an elementary or secondary school “to teach or perform any duty for which membership in the College is required under the Act unless the person is a member of the Ontario College of Teachers.” Bill 242 does not amend this section. The bill, through new section 170 (2.1), establishes that, in the Early Learning Program, an “early childhood educator...shall be in addition to the teacher assigned or appointed to teach the junior kindergarten or kindergarten class.” While these provisions appear to assign the distinct responsibility “to teach” to the teacher, paragraph 1 of subsection 264.1 (2) muddies the waters by requiring teachers and early childhood educators to cooperate in “planning for and providing education to pupils in junior kindergarten, kindergarten and extended day programs. There is no definition for what “providing education” means and the failure to do so creates ambiguity regarding the different responsibilities for teachers and early childhood educators.

In the section of the bill that provides the framework for school boards to provide extended day programs, the proposed subsection 260 (1) requires that the school

board assign at least one position to an early childhood educator “to lead the class.” This section anticipates situations where the number of students enrolled in the extended day programs will require more than one staff person who may or may not have early childhood qualifications. In this situation, the bill respects the logic of identifying the staff person who will “lead” the class. Similarly, the bill should be amended to clarify the teacher’s overall responsibility for the classroom during the regular school day.

### **TEACHER INVOLVEMENT IN THE EXTENDED DAY PROGRAMS**

Two paragraphs of subsection 264.1 (2) are problematic in terms of confusing the role of teachers regarding the extended day programs envisioned by the bill.

Paragraph 2 outlines the teachers’ and early childhood educators’ responsibility for “observing, monitoring and assessing the development of pupils in junior kindergarten, kindergarten, and extended day programs.” Paragraph 5 refers to their responsibility for “performing all duties assigned to them by the principal with respect to junior kindergarten, kindergarten and extended day programs.” As written, both paragraphs could be interpreted to imply that teachers could be assigned duties related to the extended day programs. ETFO does not support teachers’ responsibilities being extended beyond the regular school day. The bill should be amended to clarify the limitations of the teacher role.

## - **Delegation of Principals' Duties**

Included in the proposed new section of the Act governing extended day programs is section 260.2 that would give the principal the authority to delegate any of his or her duties "that relate to the operation of extended day programs to a vice principal or another person approved by the board." ETFO is concerned that this provision could easily be interpreted to mean that a principal could delegate these responsibilities to a teacher. These concerns are not unfounded. The safe schools legislation that took effect on February 1, 2010 gives principals the authority to delegate to teachers some of their powers and responsibilities related to the safe school measures. Without the appropriate policies and training in place, this delegation of responsibilities leaves our members vulnerable. It is important that Bill 242 is amended to clarify that principals will not have the authority to delegate their responsibilities for extended day programs to teachers.

## **CLASS SIZE**

The government recently issued Ontario Regulation 44/10 which amends the current class size regulation governing elementary and secondary schools to anticipate the early learning programs beginning this fall. Further regulations are anticipated once Bill 242 is passed that will set the average class size for these programs. The government has indicated that school boards are to plan their Early Learning Programs based on a class size average of 26 students. This contrasts with the current primary class size cap of 20 students. ETFO is already aware of Early Learning Programs where classes will have at least 30 students. Regardless of the

presence of two educators, this number of four- and five-year-olds in an activity-based program is problematic, both for programming and for the physical space required. For the program to be successful and for young students to have the opportunity to truly benefit from the extended day, class sizes must be reduced.

Added to the program concerns related to large class sizes is the fact the average class size of 26 conflicts with a number of ETFO collective agreements which have clear language setting maximum class sizes at lower than 26. ETFO is looking to the government to respect these agreements. Failing to do so will send an unfortunate message to public elementary teachers about the government's regard for their collective bargaining rights.

## **FUNDING**

The government has indicated that it will allocate \$200 million to the Early Learning Plan in 2010-11 and an additional \$300 million the following year. As we move closer to the launch of the new program, it is becoming increasingly clear that school boards will be hard-pressed to adequately support the program within the current allocation. Teachers are concerned that there will not be sufficient learning resources and that class sizes will be too large. In larger municipal centres, many early childhood educators will be faced with considering a salary cut by accepting a position within the program.

ETFO was pleased by media reports that the Province is not planning program cuts in the upcoming Budget and that it is committed to extending the time period for paying down the \$24.7 billion deficit to 2017. The federation hopes that the Budget will include some additional funding for the Early Learning Program and for the fragile child care sector that is being affected by both the end of federal funding and by the move of some four-and five-year-olds to the Early Learning Program.

## **CONCLUSION**

ETFO commends the government for its plan to move forward with the Early Learning Program. The federation is committed to working with the government to make it a success. If the concerns identified above are addressed, we are confident that Ontario will introduce an education program that will contribute significantly to the development and growth of young children and position the Province as an educational leader on the national scene.

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