



Code of Ethics and Standards of Practice

For registered early childhood
educators in Ontario

July 2017



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Introduction

The College of Early Childhood Educators (the College) regulates and governs Ontario’s registered early childhood educators (RECEs) in the public interest. The College establishes and maintains:

- registration requirements
- ethical and professional standards for RECEs
- requirements for continuous professional learning
- a complaints and discipline process for professional misconduct or incompetence
- a fitness to practise process for issues of incapacity.

The Practice of Early Childhood Education

The *Early Childhood Educators Act, 2007* (the ECE Act) defines the practice of early childhood education as,

“the planning and delivery of inclusive play-based learning and care programs for children in order to promote the well-being and holistic development of children, and includes,

- (a) the delivery of programs to children 12 years or younger;
- (b) the assessment of the programs and of the progress of children in the programs;
- (c) communication with parents or persons with legal custody of the children in the programs in order to improve the development of the children; and
- (d) such other services or activities as may be prescribed by the regulations”.

The ECE Act protects the public interest and the integrity of the early childhood education profession by stipulating that “no person shall engage in the practice of early childhood education or hold himself or herself out as able to do so unless the person holds a certificate of registration issued under this Act”.

The professional practice of RECEs is not restricted to the definition within the Act. RECEs may have additional experience or qualifications that enable them to work in a variety of roles and settings. Not all RECEs work directly with children, but nevertheless impact children, families and the profession through administrative or leadership roles in the early learning and child care sector.

RECEs work in diverse roles and settings, including but not limited to:

- Licensed child care (e.g., centre-based, home-based child care)
- Unlicensed child care (e.g., unlicensed home-based child care, nanny, childminding services)
- Family support programs (e.g., child and family resource centres)
- Children's services (e.g., special needs resourcing, children's mental health, children's treatment centre, child welfare)
- Education (e.g., public or private school, school board)
- Pre-service or in-service education and training (e.g., post-secondary institution, professional resource centre, professional training, consultant)
- Government (e.g., First Nation, provincial or municipal government, policy, licensing, administration)
- Advocacy (e.g., professional association, union, network)

RECEs who do not work directly with children should think broadly about how their work and roles in the sector meet the expectations in the *Code of Ethics and Standards of Practice*. They should reflect on how their education and training in early childhood education influences their decision making and how their specific roles support the practice of other RECEs and promotes high quality early childhood education.

The *Code of Ethics and Standards of Practice* sets out the professional knowledge, skills, values and expectations applicable to all RECEs regardless of role and the setting in which they may practise. As regulated professionals, RECEs are expected to act with integrity at all times within their workplace and the community.

The Purpose and Meaning of the Code of Ethics and Standards of Practice

The College has a legislated mandate “to establish and enforce professional standards and ethical standards that are applicable to members of the College and that demonstrate a respect for diversity and a sensitivity to the multicultural character of the Province” (ECE Act, 2007).

The Code of Ethics and the Standards of Practice communicate to RECEs and the public the scope and nature of the profession. The Code of Ethics sets out the ethical values that guide the professional practice of RECEs. The Standards of Practice outline the expectations regarding knowledge, skills and actions in six key areas. The four ethics and six professional standards are interconnected, and taken together, they support RECEs in using their professional judgement and making ethical decisions in their daily practice.

Council approved the College’s first edition of the *Code of Ethics and Standards of Practice* as By-law 21 on December 1, 2010. By-law 21 came into force on February 28, 2011. A two-year review process led to this second edition of the *Code of Ethics and Standards of Practice* prescribed in By-law 39 that was approved by Council on April 5, 2017 and came into force on July 1, 2017.

All RECEs are legally required to adhere to By-law 39: Code of Ethics and Standards of Practice. If there is a conflict between the *Code of Ethics and Standards of Practice* and an RECE’s work environment or the policies and procedures of his or her employer, they have an obligation to comply with the *Code of Ethics and Standards of Practice*.

RECEs are also legally required to adhere to the regulations made under the ECE Act that include the Professional Misconduct Regulation (Appendix A) and the Continuous Professional Learning Regulation.

The *Code of Ethics and Standards of Practice*, along with the Professional Misconduct Regulation, serve as the basis upon which RECEs are held accountable for their practice and to the public. They may be used to determine and adjudicate issues of professional conduct. Failing to maintain the standards of practice is a defined act of professional misconduct under the Professional Misconduct Regulation. RECEs must also abide by any other applicable legislation and regulations in their professional practice.

The Continuous Professional Learning Regulation requires RECEs to engage in ongoing learning which continually strengthens their understanding and application of the *Code of Ethics and Standards of Practice*.

Numerous College resources illustrate the meaning and purpose of the *Code of Ethics and Standards of Practice* and provide a source for reflection and dialogue about the practice of RECEs. Resources include professional advisories, practice guidelines, case studies, vignettes, reflection and discussion guides, webinars and videos. The Continuous Professional Learning program is designed to integrate the Code and Standards into practice and requires RECEs to reflect on their practice, professional growth and leadership development within the context of their ethical and professional standards.



Code of Ethics

Registered early childhood educators (RECEs) are dedicated to upholding the Code of Ethics. The Code reflects the profession's core set of beliefs and values of care, respect, trust and integrity. These beliefs and values are fundamental to RECEs and guide their practice and conduct.

A. Responsibilities to Children

RECEs make the well-being, learning and care of children their foremost responsibility. They value the rights of children and create learning environments where all children can experience a sense of belonging and inclusion. RECEs foster children's joy of learning through child-centred and play-based pedagogy.

RECEs respect and nurture children's first language and/or traditional language and culture. They demonstrate a commitment to address the unique rights and needs of Indigenous children and their families. They respect each child's uniqueness, dignity and potential.

B. Responsibilities to Families

RECEs build and maintain responsive and collaborative relationships with families. These relationships are based on mutual trust, openness and respect for confidentiality. RECEs work in partnership with families, sharing knowledge and resources to support the well-being and learning of children.

RECEs recognize and respect the uniqueness and diversity of families. They provide meaningful opportunities for families to engage in and contribute to the learning environment and their child's experiences.

C. Responsibilities to Colleagues and to the Profession

RECEs build positive relationships with colleagues by demonstrating respect, trust and integrity. They support, mentor and collaborate with colleagues, including students aspiring to the profession.

RECEs value lifelong learning and reflective practice and engage in the Continuous Professional Learning program. Through their practice and leadership, RECEs support the advancement of the profession in their workplaces and in the wider community. They recognize that their conduct as professionals contributes to the public's trust in the profession.

D. Responsibilities to the Community and to the Public

RECEs provide and promote high quality early years programs and services to support children and families. They build connections and collaborate with community partners to enhance programs and promote the integration of services. RECEs communicate the value and importance of early childhood education in their communities and to the broader public. They advocate for the well-being of children and families.

Standard I: Caring and Responsive Relationships

A. Principle

Registered early childhood educators (RECEs) understand that strong, positive relationships contribute to healthy child development and are necessary for children's well-being and learning. Building and maintaining caring and responsive relationships with children, families and colleagues is fundamental to the practice of RECEs.

B. Knowledge

RECEs:

1. Are knowledgeable about the research and theories related to the impact of caring and responsive relationships on children's development, learning, self-regulation, identity and well-being.
2. Are knowledgeable about a range of strategies that support ongoing positive interactions with children and families.
3. Understand that families are of primary importance in children's development and well-being and that children are best understood in the context of their families, cultures and communities.
4. Understand the importance of creating and maintaining positive relationships with families and colleagues to support children's well-being.

C. Practice

RECEs:

1. Are attuned and responsive to the holistic needs of children.
2. Engage in supportive and respectful interactions with children to ensure they feel a sense of security and belonging.
3. Access available information regarding the relevant family circumstances of children and the factors that may contribute to shaping their individual and family identity (including, but not limited to, the child's health, legal custody and/or guardianship, family structure and cultural and linguistic background).
4. Support children in developing coping skills, regulating their behaviour and interacting positively with others. They recognize all children's capacity to self-regulate and their right to be supported to develop these skills.

5. Communicate with children and families by being equitable, inclusive and respectful of diversity. They are receptive listeners and offer encouragement and support by responding appropriately to the ideas, concerns and needs of children and families.
6. Support, encourage and work collaboratively with colleagues. They work to build effective relationships with colleagues by using a variety of communication methods and strategies, applying interpersonal skills, respecting privacy and confidentiality and establishing appropriate boundaries.
7. Ensure that in their relationship with families and colleagues, the needs and best interests of the child are their highest priority. They collaborate with families to access information and resources to make informed decisions about their child. They advocate for children and families in partnership with families and colleagues.

Standard II: Curriculum and Pedagogy

A. Principle

Registered early childhood educators (RECEs) co-construct knowledge with children, families and colleagues. They draw from their professional knowledge of child development, learning theories and pedagogical and curriculum approaches to plan, implement, document and assess child-centred, inquiry and play-based learning experiences for children.

B. Knowledge

RECEs:

1. Are knowledgeable about child development theories and understand that children's development is integrated across multiple domains and within a variety of contexts and environments.
2. Are knowledgeable about current learning theories and pedagogical and curriculum approaches that are based on inclusion and inquiry and play-based learning.
3. Are knowledgeable about methods in observation, pedagogical documentation, planning, implementation and assessment in order to support children's individual and group learning experiences.
4. Understand that children are capable and enthusiastic learners with unique personalities, skills, and interests.

C. Practice

RECEs:

1. Observe children to identify individual and group needs and interests.
2. Collaborate with children to co-plan and implement a child-centred and play-based curriculum.
3. Use a variety of materials to intentionally create or adapt indoor and outdoor learning environments that support children's exploration and learning.
4. Respond to the uniqueness of individuals and groups of children. They identify appropriate strategies, access the necessary resources and design curriculum to ensure full participation of all children, taking into account ability, cultural and linguistic diversity and Indigenous identity. They provide all children with opportunities for engagement, exploration and expression.
5. Use technology and assistive technological tools as appropriate to support children's learning and development.

6. Document children's learning experiences in order to reflect upon and assess children's growth and the curriculum. They use documentation and critical reflection to enhance the program and consider new ideas and approaches.
7. Use appropriate and effective communication methods and strategies to share information with families regarding the development and learning of children.
8. Design the daily program to allow for appropriate amounts of uninterrupted inquiry and play-based learning in indoor and outdoor environments.
9. Work collaboratively with families and colleagues to plan meaningful learning experiences and support problem solving and decision making.

Standard III: Safety, Health and Well-Being in the Learning Environment

A. Principle

Registered early childhood educators (RECEs) intentionally create and maintain environments that support children's play and learning as well as contribute to a sense of belonging and overall well-being. They ensure that the environment is safe and accessible for all children and families. They also ensure that the environment reflects the values and diversity of the community.

B. Knowledge

RECEs:

1. Are knowledgeable about the research and theories related to the role and impact of the indoor and outdoor learning environments in curriculum design and pedagogy.
2. Are familiar with a variety of strategies to promote and support children's well-being and safety in the learning environment including, but not limited to, nutrition and physical, mental and emotional health.
3. Are knowledgeable about a variety of methods to monitor and evaluate the quality of learning environments.
4. Know and understand safety, health and accessibility legislation.

C. Practice

RECEs:

1. Work in partnership with children, families and colleagues to create a safe, healthy and inviting environment that promotes a sense of belonging, well-being and inclusion.
2. Take appropriate steps to ensure that the environment complies with safety, health and accessibility legislation. They observe and monitor the learning environment and take responsibility to avoid exposing children to harmful or unsafe situations.
3. Obtain and familiarize themselves with available information concerning children's relevant medical conditions, special needs, disabilities, allergies, medication requirements and emergency contact information. This information is obtained when a child comes under the RECE's professional supervision or as soon after that time as the information becomes available and is reviewed on an ongoing basis.

4. Access the necessary resources and design the environment to ensure safety and inclusion for all children in the environment. They work with colleagues to embed early intervention strategies into the program and environment.
5. Provide safe and appropriate supervision of children based on age, development and environment.
6. Design or modify indoor and outdoor learning environments to support children's self-regulation, independence, reasonable risk-taking, meaningful exploration and positive interactions.
7. Promote physical and mental health and well-being by encouraging good nutrition, physical activity and providing daily opportunities for children to connect and interact with the natural world and the outdoors.
8. Consider how the environments affect children through daily care routines and transitions including meal times and snacks, personal care, sleep or rest time. They implement strategies to ensure sufficient time for safe and supportive transitions while maintaining supervision at all times.
9. Use current evidence-informed methods to monitor, evaluate and improve the quality of the learning environment.

Standard IV: Professionalism and Leadership

A. Principle

Registered early childhood educators (RECEs) demonstrate professionalism in their relationships with children, families, colleagues, and the communities in which they practise. They are reflective and intentional professionals who engage in continuous professional learning. RECEs collaborate with others to ensure high quality early childhood education. All registered early childhood educators, regardless of position or title, are leaders.

B. Knowledge

RECEs:

1. Are knowledgeable about current legislation, policies and procedures that are relevant to their professional practice and to the care and education of children.
2. Are knowledgeable about current research, evidence-informed practice and trends in the early years sector.
3. Understand the value of reflective practice and leadership development and how continuous professional learning supports their professional growth and contributes to improving the quality of early childhood education for children, families and communities.
4. Are familiar with the variety of early years programs, services and resources that support or impact children, families and the profession. They understand the roles of different stakeholders in the provision of programs and services.
5. Understand the purpose and mandate of the College of Early Childhood Educators and other relevant professional organizations.
6. Understand their legal obligations to practise according to the *Code of Ethics and Standards of Practice*. RECEs understand that if there is a conflict between the *Code of Ethics and Standards of Practice* and their work environment or the policies and procedures of their employer, they have an obligation to comply with the *Code of Ethics and Standards of Practice*.

C. Practice

RECEs:

1. Review and access current research and transfer this knowledge into evidence-informed practice. They engage in critical reflection, collaborative inquiry and demonstrate their commitment to ongoing learning by engaging in the Continuous Professional Learning program.

2. Effectively communicate the foundations of their practice and their decision-making processes to families and colleagues.
3. Collaborate with families and colleagues, including community partners and members of other professions, to access resources and expertise. They facilitate community partnerships for the benefit of children and families.
4. Model professional values, beliefs and behaviours with children, families and colleagues. They understand that their conduct reflects on them as professionals and on their profession at all times.
5. Advocate in the interest of children, families, early childhood educators and the early years sector.
6. Support and collaborate with colleagues, including early childhood education students and those who are new to the profession.
7. Engage with their professional community through activities such as participation in research, associations, committees, or professional networks, or by acting as a role model or mentor.
8. Provide guidance and direction to supervisees that is respectful and fair. RECEs ensure a level of supervision that is appropriate in light of the supervisee's education, training, experience and the activities being performed. They create opportunities for supervisees to assume formal or informal leadership roles.
9. Co-operate fully with the College and conduct themselves in a manner that demonstrates respect for the College and its mandate. This duty to co-operate applies to all requests from the College, including but not limited to investigations of a complaint or mandatory employer reports.
10. Use the title "registered early childhood educator" or "*éducatrice de la petite enfance inscrite*" or "*éducateur de la petite enfance inscrit*" in connection with their practice. A member is also required to use the professional designation RECE or EPEI in documentation used in connection with their practice.
11. Report professional misconduct, incompetence and incapacity of colleagues which could create a risk to the health or well-being of children or others to the appropriate authorities. This includes reporting to the College if the conduct is that of an RECE.
12. Practise within the parameters of their professional knowledge and competence. Prior to engaging in new or specialized areas of practice, or returning after a substantial time away from an area of practice, RECEs assess their knowledge and competence and seek appropriate training, ongoing professional learning or other support.

Standard V: Professional Boundaries, Dual Relationships and Conflicts of Interest

A. Principle

Registered early childhood educators (RECEs), by virtue of their professional role and responsibilities, hold positions of trust and responsibility with regard to children under their professional supervision. RECEs understand the importance of maintaining professional boundaries with children, families and colleagues. They are aware of dual relationships and identify and declare conflicts of interest when they arise and take action to prevent harm to children or their families.

B. Knowledge

Professional Boundaries

RECEs:

1. Understand that they are responsible for maintaining and managing professional boundaries with children, families and colleagues.
2. Understand that blurring of boundaries between professional and personal relationships may influence their professional judgement.
3. Understand the inherent imbalance of power in relationships between a professional and a child or family, and know and understand that care must be taken to ensure that children and families are protected from potential abuse of an RECE's position of power during, after, or related to the provision of their professional services.
4. Understand that boundary violations with children, families or colleagues include sexual misconduct and non-sexual boundary violations. They understand non-sexual boundary violations can be emotional, physical, social or financial.

Dual Relationships

RECEs:

5. Understand that dual relationships occur whenever RECEs, in addition to their professional relationship, have one or more other relationships with a child under their professional supervision, the child's family, a colleague or a supervisee. RECEs understand that these other relationships may occur prior to, during, or following the professional relationship.
6. Understand that dual relationships may lead to, among other things, violation of professional boundaries or conflicts of interest.

Conflicts of Interest

RECEs:

7. Understand what constitutes a conflict of interest. These situations include, but are not limited to, instances when RECEs have a personal, financial or other professional interest or obligation that gives rise to a reasonable concern that the interest or obligation may influence how they carry out their professional responsibilities.

C. Practice

Professional Boundaries

RECEs:

1. Establish and maintain clear and appropriate boundaries in professional relationships with children under their professional supervision, their families and colleagues.
2. Do not use their professional position to coerce, improperly influence, harass, abuse or exploit a child who is under their professional supervision, the child's family or a supervisee.
3. Ensure that the amount and nature of the information they share with and receive from families and colleagues is appropriate and relevant to the professional context and services being provided and is not used to acquire, either directly or indirectly, advantage or material benefits.
4. Ensure that communications with children, families and colleagues are professional and that use of technology and social media is consistent with professional boundaries.

Dual Relationships

RECEs:

5. Evaluate to what extent a dual relationship might impair professional judgment or lead to risk of harm to a child.
6. Acknowledge and communicate to affected parties, as appropriate, the nature of the dual relationship and the steps taken to address related risks.
7. Avoid dual relationships with children, families, and colleagues that could impair their professional judgment or lead to a risk of harm to children.

Conflicts of Interest

RECEs:

8. Identify and evaluate potential conflicts of interest.
9. Acknowledge and disclose the nature of the conflict of interest.
10. Take appropriate steps to address the conflict of interest, obtain consent by individuals involved, and document actions taken to address related risks.
11. Avoid conflicts of interest with children, families, and colleagues that could impair their professional judgment or lead to a risk of harm to children.

Standard VI: Confidentiality, Release of Information and Duty to Report

A. Principle

Registered early childhood educators (RECEs) respect the confidentiality of information related to children and families and obey all laws pertaining to privacy and the sharing of information. RECEs disclose such information only when required or allowed by law to do so or when the necessary consent has been obtained for the disclosure of the information. They understand that as a result of their professional knowledge and role, they are in a unique position to recognize possible signs of child abuse, neglect and family violence, and have a particular duty to report their suspicions.

B. Knowledge

RECEs:

1. Are knowledgeable about applicable privacy legislation and obligations related to different types of personal and confidential information.
2. Maintain an understanding relating to the management of information including, but not limited to, how information is collected, used, disclosed, retained and disposed.
3. Understand that families may obtain access to or request correction of a record of information about their child.
4. Are knowledgeable about legislation, policies and procedures related to the *Child and Family Services Act**. They understand that they are recognized by the *Child and Family Services Act* as being in a unique position to recognize the signs of child abuse, neglect and family violence, and have a particular duty to report their suspicions.
5. Understand that the *Child and Family Services Act* provisions about reporting suspected abuse or neglect take precedence over an organization's policies and procedures.

*and any amended or successor legislation.

C. Practice

Confidentiality

RECEs:

1. Comply with any applicable privacy legislation. They obtain consent to the collection, use or disclosure of information concerning children or families, unless otherwise permitted or required by law.
2. Inform families early in their relationship about the limits of confidentiality of information, including sharing relevant information with colleagues.
3. Obtain consent or ensure consent has been obtained from families before electronically recording, photographing, audio or videotaping or permitting third party observation of children's activities. RECEs also obtain consent before using any image or information about a child or family in a print or an electronic format, including, but not limited to, social media.

Release of Information Regarding Children and Families

RECEs:

4. Obtain consent from families before sharing of information unless disclosure without consent is permitted or required by law.
5. Provide families, on request, with access to records maintained by RECEs in respect to their child or such parts of those records as are relevant, unless there is reasonable cause for refusing to do so.
6. When in a review, investigation or proceeding under the ECE Act in which the professional conduct, competency or capacity of a College member is an issue, the member may disclose such information concerning or received from a child or the child's family as is reasonably required by the member or the College for the purposes of the review, investigation or proceeding, without the consent of the individuals to whom the information relates.
7. When disclosure is required or allowed by law or by order of court, RECEs do not divulge more information than is required or allowed.

Duty to Report

RECEs:

8. Comply with the *Child and Family Services Act* about their duty to report suspected child abuse and neglect to the Children's Aid Society.



Glossary

Assessment/assess

The process of observing and documenting children’s learning and development in order to support their growth through the curriculum, environment and any other supports that are needed; or the process of determining whether an early learning and care setting supports children’s learning, development and well-being.

Belonging

The experience of security, inclusion, respect and competence by children, families and staff.¹

Child abuse

“Child abuse” includes physical, emotional and sexual abuse and/or neglect. It also addresses a pattern of abuse and risks of harm.²

Colleagues

Any person who an RECE works or collaborates with in their place of employment or professional network, including RECEs, co-workers, employers, students, volunteers, other professionals and community partners.

Collaborative inquiry

The practice of engaging with others (colleagues, children, families) in critical reflection as a means to question theory and practice, discuss ideas, test theories and share learning.³

Critical reflection

A way of reflecting that requires RECEs to consider and challenge the beliefs, assumptions, and understandings that frame how they view and respond to children and that shape learning experiences they make available for them. Critical reflection involves the active process of engaging with difficult concepts, tensions and uncertainties and changing practice as a result.⁴

Culture

The understandings, patterns of behaviour, practices and values shared by a group of people. The children, families and staff in an early learning and care setting may identify as belonging to more than one culture.⁵

Curriculum

The sum total of environments, experiences, activities and events designed to foster children's development, learning and well-being.⁶

Diversity

Differences and uniqueness that each person brings to the early learning and care setting including values and beliefs, culture and ethnicity, language, ability, education, life experiences, socio-economic status, spirituality, gender, age and sexual orientation.⁷

Early years sector

A distinct collective of programs, services and supports designed for children under the age of 12 years and their families. This includes research, policy development, education and training, advocacy and system management in the planning and delivery of early childhood education, early learning, child care, family supports, early intervention and children's services.

Equity

A state in which personal or social circumstances are not obstacles to being included and supported to achieve equal educational outcomes and well-being among all children. An early years environment that is equitable recognizes, values and builds on the diversity of each child and family.

Family

A group of children and adults who are related by affections, kinship, dependency or trust, and includes single-parent families, same-sex families, multi-generational families and foster families.

Inclusion/inclusive

An approach to policies and practice in early years settings where all children and families are accepted and served within a program and where each child and family experiences a sense of belonging and is supported to participate fully in all aspects of the program or service. Inclusive practice includes being attentive to the capabilities, personalities and circumstances of all children and understanding the diversity of development of all children.

Inquiry-based learning

An approach to teaching and learning that places children's questions, ideas and observations at the centre of the learning experience.⁸

Leadership

The practice of engaging with colleagues to draw on collective knowledge and experiences to solve problems, create solutions and improve outcomes. Leadership involves taking and encouraging collective responsibility, contributing to an inclusive and collaborative working environment and, creating, coordinating and directing change through vision, inspiration, commitment and contribution.⁹

Learning environment

An indoor or outdoor environment in which children, families, RECEs and other colleagues collaborate to nurture, provide care and education with the goals of fostering children's holistic development and well-being. It includes schedules, routines, physical environment (indoor and outdoor), interactions, activities and experiences.¹⁰

Professional misconduct

Failure to comply with the *Early Childhood Educators Act*, any regulations under the Act or College by-laws. For more information see Appendices A and B.

Pedagogy

The understanding of how learning takes place and the philosophy and practice that supports that understanding of learning.¹¹

Play-based learning

An educational approach which builds upon a child's natural inclination to make sense of the world through play, where RECEs participate in play, guiding children's planning, decision-making and communications, and extending children's explorations with narrative, novelty and challenges.¹²

Reflective practice

An approach used by RECEs to analyze and think critically about their professional practice with the intention to better understand and improve their practice. Reflective practice is thoughtful, action-oriented and often, a collaborative effort. RECEs use reflective practice to plan, evaluate their strengths and challenges, make decisions and create change, if necessary. Self-reflection, critical reflection and collaborative inquiry are all important elements of reflective practice.

Supervisees

Any person who is under an RECE's direct supervision including, but not limited to, other RECEs, staff, students or volunteers.

¹ Ministry of Children and Youth Services (2007). Early Learning for Every Child Today (ELECT): A Framework for Ontario Early Learning Settings. Toronto, ON, p. 85.

² Ontario Association of Children's Aid Societies. What is abuse? Retrieved from <http://www.oacas.org/childrens-aid-child-protection/what-is-abuse/>

³ Ministry of Education (2014). How does learning happen? Ontario's pedagogy for the early years.

⁴ Pacini-Ketchabaw et al. (2015). Journeys: Reconceptualizing Early childhood Practices through Pedagogical Narration. Toronto:ON: University of Toronto Press.

⁵ Ministry of Children and Youth Services, ELECT, p. 87.

⁶ Ministry of Children and Youth Services, ELECT, p. 87.

⁷ Ministry of Children and Youth Services, ELECT, p. 87.

⁸ Ministry of Education (May 2013). Inquiry-based learning. Capacity Building Series K-12, Secretariat Special Edition #32. Retrieved from http://www.edu.gov.on.ca/eng/literacynumeracy/inspire/research/cbs_inquirybased.pdf

⁹ Rodd, J. (2015). Leading change in the early years: Principles and practice. New York: Open University Press.

¹⁰ Ministry of Children and Youth Services, ELECT, p. 87.

¹¹ Ministry of Children and Youth Services, ELECT, p. 87.

¹² Ministry of Children and Youth Services, ELECT, p. 87.

APPENDIX A: Professional Misconduct Regulation

EARLY CHILDHOOD EDUCATORS ACT, 2007

Ontario Regulation 223/08

Professional Misconduct

Regulations can change from time to time and it is important to refer to the most current version available.

Definitions

1. In this Regulation,

“guardian” includes a person, children’s aid society or corporation that has legal custody of the child; (“tuteur”)

“member” means a member of the College; (“membre”)

“profession” means the profession of early childhood education. (“profession”) O. Reg. 223/08, s. 1; O. Reg. 357/15. s. 1.

Professional misconduct

2. The following conduct or acts constitute professional misconduct for the purposes of clause (f) of the definition of that term set out in section 1 of the Act, in addition to the acts or conduct listed in clauses (a), (b), (c), (d) and (e) of the definition:

THE PRACTICE OF THE PROFESSION

1. Contravening a term, condition or limitation imposed on the member’s certificate of registration.
2. Failing to supervise adequately a person who is under the professional supervision of the member.
3. Verbally abusing a child who is under the member’s professional supervision.
 - 3.1 Physically abusing a child who is under the member’s professional supervision.
 - 3.2 Psychologically or emotionally abusing a child who is under the member’s professional supervision.
4. Practising or purporting to practise the profession,
 - i. while under the influence of any substance, or
 - ii. while adversely affected by any illness or dysfunction, which the member knows or ought reasonably to know impairs their ability to practise.
5. Practising the profession while the member is in a conflict of interest.
6. Releasing or disclosing information about a child who is under the member’s professional supervision to a person other than the child or the child’s parent or guardian except,
 - i. with the consent of a parent with lawful custody of the child or of the child’s guardian,
 - ii. as required or allowed by law, or
 - iii. in a review, investigation or proceeding under the Act in which the professional conduct, competency, or capacity of the member is in issue, but only to the extent reasonably required by the member or the College for the purposes of the review, investigation or proceeding.

7. Failing, without reasonable cause, to provide access to,
 - i. a record maintained by a member regarding a child, or
 - ii. such part or parts of a record as are reasonable in the circumstances, to the child or the child's parent or guardian.
8. Failing to maintain the standards of the profession.
9. Breaching a term of an agreement relating to,
 - i. the fees for professional services, or
 - ii. professional services for a child.
10. Acting or failing to act in a manner that, having regard to the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

REPRESENTATIONS ABOUT MEMBERS AND THEIR QUALIFICATIONS

11. Providing false information or documents to the College or to any person with respect to the member's professional qualifications.
12. Inappropriately using a term, title or designation in respect of the member's practice.
13. Permitting, counselling or assisting a person who is not a member to represent themselves as a member.
14. Using a name, other than the member's name as set out in the register, in the course of their professional duties.
15. Failing to advise the College promptly of a change in the name used by the member in providing or offering to provide early childhood education services.
16. Signing or issuing, in the member's professional capacity, a document that the member knows or ought to know contains a false, improper or misleading statement.
17. Falsifying a record relating to the member's professional responsibilities.

MISCELLANEOUS MATTERS

18. Failing to keep records as required by their professional duties.
19. REVOKED: O. Reg. 357/15, s. 1 (3).
20. Contravening a law, if the contravention is relevant to the member's suitability to hold a certificate of registration.
21. Contravening a law, if the contravention has caused or may cause a child who is under the member's professional supervision to be put at or remain at risk.
22. Conducting themselves in a manner that is unbecoming a member.
23. Failing to appear before the Complaints Committee to be cautioned, if the Complaints Committee has required the member to appear under clause 31 (5) (c) of the Act.
24. Failing to comply with an order of the Fitness to Practise Committee or of the Executive Committee.

25. Failing to co-operate in an investigation conducted by the College.
26. Failing to take reasonable steps to ensure that the requested information is provided in a complete and accurate manner, if the member is required to provide information to the College under the Act, regulations or by-laws.
27. Failing to comply with a written undertaking given by the member to the College or to carry out an agreement entered into by the member with the College.
28. Failing to respond adequately or within a reasonable time to a written inquiry from the College.
O. Reg. 223/08, s. 2; O. Reg. 357/15, s. 2.

FINDINGS OF MISCONDUCT IN OTHER JURISDICTIONS

3. A finding of incompetence or professional misconduct or a finding of a similar nature against a member by a governing authority of the profession in a jurisdiction other than Ontario that is based on facts that would, in the opinion of the Discipline Committee, constitute professional misconduct under the definition of the term in section 1 of the Act or under section 2 of this Regulation, constitutes professional misconduct for the purposes of clause (f) of the definition. O. Reg. 357/15, s. 3.
4. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).
O. Reg. 223/08, s. 4.

APPENDIX B: Excerpts from the *Early Childhood Educators Act, 2007*

PART I

INTERPRETATION

Regulations can change from time to time and it is important to refer to the most current version available.

Definitions

1. (1) In this Act,

[...]

“professional misconduct” means,

- (a) sexual abuse of a child,
- (b) sexual misconduct,
- (c) engaging in prohibited acts involving child pornography,
- (d) conduct that contravenes this Act, the regulations or the by-laws,
- (e) conduct that contravenes an order of the Discipline Committee, the Complaints Committee, the Council or the Registrar, or
- (f) any other act or conduct prescribed by the regulations; (“faute professionnelle”)

“prohibited act involving child pornography” means any act prohibited under section 163.1 of the *Criminal Code* (Canada); (“acte interdit impliquant de la pornographie juvénile”)

“regulations” means the regulations made under this Act. (“règlements”)

“sexual abuse” of a child by a member means,

- (a) sexual intercourse or other forms of physical sexual relations between the member and the child,
- (b) touching, of a sexual nature, of the child by the member, or
- (c) behaviour or remarks of a sexual nature by the member towards the child; (“mauvais traitements d’ordre sexuel”)

“sexual misconduct” means inappropriate behaviour or remarks of a sexual nature by the member that is not sexual abuse of a child, where,

- (a) one or more children are exposed to the behaviour or remarks, or the member knows or ought to know that one or more children are likely to be exposed to the behaviour or remarks, and
- (b) a reasonable person would expect the behaviour or remarks to have the effect of,
 - (i) causing distress to a child exposed to the behaviour or remarks,
 - (ii) being detrimental to the physical or mental well-being of a child, or
 - (iii) creating a negative environment for a child exposed to the behaviour or remarks. (“inconduite sexuelle”) 2007, c. 7, Sched. 8, s. 1; 2014, c. 11, Sched. 3, ss. 1 (1, 2).

Same, electronic means

(2) For greater certainty, for the purposes of the definitions of “sexual abuse” and “sexual misconduct” in subsection (1), behaviour, remarks and conduct include acts or remarks that are done or made by electronic means. 2014, c. 11, Sched. 3, s. 1 (3).



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Code&Standards

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