

EDUCATION ACT

**CONSOLIDATION OF EARLY CHILDHOOD PROGRAM REGULATIONS**

R-012-2011

In force January 5, 2012

*(Current to: August 12, 2013)*

**AS AMENDED BY:**

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of regulations can be ascertained from the *Revised Regulations of the Northwest Territories, 1990* and the monthly publication of Part II of the *Northwest Territories Gazette* (for regulations made before April 1, 1999) and Part II of the *Nunavut Gazette* (for regulations made on or after April 1, 1999).

A copy of a regulation of Nunavut can be obtained from the Territorial Printer at the address below. The *Nunavut Gazette* and this consolidation are also available online at <http://www.justice.gov.nu.ca/english/legislation.html> but are not official statements of the law.

Any registered regulations not yet published in the *Nunavut Gazette* can be obtained through the Registrar of Regulations at the address below.

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## GLOSSARY OF TERMS USED IN CONSOLIDATIONS

### *Miscellaneous*

c.	means "chapter".
CIF	means "comes into force".
NIF	means "not in force".
s.	means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
Sch.	means "schedule".

### *Citation of Acts*

R.S.N.W.T. 1988,c.D-22	means Chapter D-22 of the <i>Revised Statutes of the Northwest Territories, 1988</i> .
R.S.N.W.T. 1988,c.10(Supp.)	means Chapter 10 of the Supplement to the <i>Revised Statutes of the Northwest Territories, 1988</i> . (Note: The Supplement is in three volumes.)
S.N.W.T. 1996,c.26	means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
S.Nu. 2002,c.14	means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

### *Citation of Regulations and other Statutory Instruments*

R.R.N.W.T. 1990,c.A-1	means Chapter A-1 of the <i>Revised Regulations of the Northwest Territories, 1990</i> .
R-005-98	means the regulation registered as R-005-98 in 1998. (Note: This is a Northwest Territories regulation if it is made before April 1, 1999, and a Nunavut regulation if it is made on or after April 1, 1999 and before January 1, 2000.)
R-012-2003	means the regulation registered as R-012-2003 in 2003. (Note: This is a Nunavut regulation made on or after January 1, 2000.)
SI-005-98	means the instrument registered as SI-005-98 in 1998. (Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.)
SI-012-2003	means the instrument registered as SI-012-2003 in 2003. (Note: This is a Nunavut statutory instrument made on or after January 1, 2000.)

## **EARLY CHILDHOOD PROGRAM REGULATIONS**

### Definitions

**1.** In these regulations

"early childhood program" means an early childhood program required by section 17 of the Act; (*programme destiné à la petite enfance*)

"eligible child" means a child described in section 4. (*enfant admissible*)

### Duty of District Education Authority

**2.** A district education authority shall provide its early childhood program in accordance with these regulations.

### Consistency with Education Program

**3.** To make it easier for children who participate in a district education authority's early childhood program to begin school, the district education authority shall ensure that its early childhood program is consistent with the education program for its schools and a district education authority other than the *Commission scolaire francophone* shall also ensure that its early childhood program is consistent with its decisions under section 24 of the Act on languages of instruction and the bilingual education model or models to be followed.

### Eligible Children

**4.** Subject to any determination that the district education authority may make under subsection 17(2) of the Act, an early childhood program shall be for any child in the community who is or will be less than six years of age on December 31 of the school year and who is not in any grade above kindergarten.

### Program Promotion

**5.** (1) A district education authority other than the *Commission scolaire francophone* shall use its best efforts to ensure that its early childhood program serves as many eligible children as possible while still making the best use of the available resources to promote fluency in the Inuit Language and knowledge of Inuit culture as required by section 17 of the Act.

(2) The *Commission scolaire francophone* shall use its best efforts to ensure that its early childhood program serves as many eligible children who are the children of rights holders under subsection 156(1) of the Act as possible while still making the best use of the available resources to promote fluency in the French language and knowledge of francophone culture as required by section 17 of the Act as modified by subsection 168(7) of the Act.

#### How Program May Be Provided

6. A district education authority may comply with section 17 of the Act
- (a) by providing the entire early childhood program itself; or
  - (b) by providing support in the form of staff, funding or other resources to a third party to supply
    - (i) the Inuit Language or Inuit culture component of the program in the case of a district education authority other than the *Commission scolaire francophone*, or
    - (ii) the French language or francophone culture component of the program in the case of the *Commission scolaire francophone*.

#### Program Requirements

7. An early childhood program whether provided under paragraph 6(a) or (b) must satisfy the following requirements:
- (a) if the program includes activities or programming for children who are in kindergarten, the program must be provided to those children only during days or parts of the day when they are not in school;
  - (b) the program must be provided over a period of time on a daily, weekly or monthly basis or on such other regular basis as the district education authority considers appropriate; and
  - (c) the person or persons providing the program must have a licence issued under the *Child Day Care Act* if the program is being provided in a child day care facility that must be licensed under that Act.

#### Annual Report

8. (1) On or before September 30 in each year, a district education authority shall submit to the Minister a report on what it has done to comply with section 17 of the Act in the preceding school year.

(2) The report required by subsection (1) shall describe the early childhood program provided or supported by the district education authority and specify

- (a) whether it is a new or existing program; and
- (b) what resources have been allocated by the district education authority to provide or support the program.

#### Transition

**9.** If a district education authority established an early childhood education program before the coming into force of these regulations, it shall bring the program into compliance with these regulations forthwith after they come into force.

#### Commencement

**10.** These regulations come into force 120 days after they are registered with the Registrar.