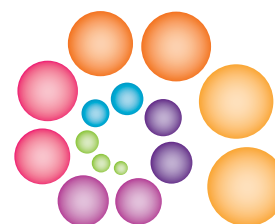


# Code of Ethics and Standards of Practice

Recognizing and Honouring  
Our Profession

February 2011



**cece**  
college of  
early childhood  
educators

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# Acknowledgements

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Two documents were considered early in the standards development process: the Association of Early Childhood Educators Ontario's (AECEO) Code of Ethics and the *Code éthique* of the *Association francophone à l'éducation des services à l'enfance de l'Ontario* (AFÉSEO). With the consent of the AECEO and the AFÉSEO, certain elements of the College's Code of Ethics were inspired by these documents.

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# About the College

The College of Early Childhood Educators (the College) is the professional self-regulatory organization for early childhood educators in Ontario. The College was formed to protect the public interest and focuses on quality and standards in the practice of early childhood education. The practice of early childhood education is regulated by the College in accordance with the *Early Childhood Educators Act, 2007* (the Act), and the regulations and by-laws made under the Act.

*The Early Childhood Educators Act, 2007* includes:

- A definition of what constitutes the practice of the profession of early childhood education
- A requirement for persons to be members in order to practise the profession
- Title protection authorizing only members of the College to use the title of “early childhood educator” (ECE) or “registered early childhood educator” (RECE)
- Roles and responsibilities of the statutory committees established by the Council

The College’s primary duty is to serve and protect the public interest. It does so by:

- Setting requirements for membership in the College
- Maintaining a public register of early childhood educators
- Establishing a code of ethics and standards of practice that all early childhood educators are accountable to meet
- Investigating complaints about the conduct of its members and, if necessary, disciplining members
- Promoting high standards and quality assurance with respect to early childhood educators

The College is governed by a Council comprised of fourteen elected members of the College and ten members of the public appointed by the Lieutenant Governor in Council. The Council makes decisions related to entry to practice requirements, ethical and professional standards and professional misconduct.

The Council, its committees and College staff strive for excellence in fulfilling the College mandate through its registration policies and practices, the establishment of standards of practice, the investigation of complaints and dealing with disciplinary matters. The College is accountable to its members, the public and the Government of Ontario through the Minister of Education.

# The Scope of Our Practice

Members of the College of Early Childhood Educators (the College) plan and deliver “inclusive play-based learning and care programs for both pre-school and school aged children” (*Early Childhood Educators Act, 2007*). Members of the College work in a wide variety of settings, including but not limited to regulated early learning and care settings, private home environments, family resource centres, hospitals, public and private schools, colleges and universities, and in government settings.

# The Purpose and Meaning of Our Standards

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” (*Early Childhood Educators Act, 2007*).

The standards articulate the knowledge, skills and ethical values that are inherent to the work of an early childhood educator. They define and describe the professional knowledge, professional expertise and the ethical values and behaviours required of members of the College. These standards describe the complexity of the role and the wide ranging contributions that early childhood educators make to the care and learning of young children.

In 2007, when the *Early Childhood Educators Act* was passed, the early childhood education profession was given the authority to regulate itself. In return, the profession is now required to be accountable to practise in accordance with the Act, regulations and by-laws. The ethical and professional standards set out in the Code of Ethics and the Standards of Practice describe the responsibilities of College members who, as members of a self-regulated profession, must demonstrate safe, ethical and competent practice. The Code of Ethics and the Standards of Practice, along with the Professional Misconduct regulation, serve as the basis on which members of the College are held accountable for professional practice and professional responsibilities. Members of the College are guided in their decisions by the Code of Ethics, the Standards of Practice, and legislation applicable to early childhood educators and use their professional judgement to make decisions.

The Code of Ethics and the Standards of Practice communicate to others the scope and nature of the early childhood education profession. These standards convey certain expectations for which it is reasonable to hold members of the profession accountable. They also express a common set of ideals and aspirations for members of the College, regardless of the early childhood education setting in which they may practise.

By becoming a member of the College, each person makes a commitment to abide by the standards of their profession, to enhance the care and learning of children, and to be accountable to the public of Ontario.



# The Development of Our Code of Ethics and Standards of Practice

The development of the Code of Ethics and the Standards of Practice began with the enactment of the *Early Childhood Educators Act, 2007*. From 2007 to 2008, members of the transitional Council<sup>1</sup> and College staff began to oversee the compilation of examples of ethical and professional standards for members of other Ontario regulatory bodies and provincial, national and international standards statements from organizations and institutions with mandates relating to early childhood education. During this period, members of the transitional Council and College staff met with representatives of other regulatory bodies, early childhood education organizations and individuals from colleges, universities, government and community-based organizations who had expertise in the early childhood education field. Also, during this period, transitional Council members and College staff were advised and guided by legal counsel with extensive expertise and experience in the work of Ontario regulatory bodies. This early resource base and research provided a valuable foundation upon which to begin the consultation process for the development of the standards.

In February 2009, the Council composed of elected and public members was established and held its first meeting. With a process approved by Council in May 2009, the Standards of Practice Committee began to gather input from College members and the public. From July to December 2009, Council members and representatives of the College met with over 140 individuals searching for consensus on the knowledge, skills and values that should be encompassed in a code of ethics and standards of practice. Focus groups were held in all regions of the province in both the English and French languages. The participant responses to the focus group questions were audio-taped and transcribed to ensure accuracy and to capture the language used by the participants to describe the knowledge, skills and values of early childhood educators. The College also posted an online questionnaire for members and the public to provide even further input and received over 4,000 electronic responses in November 2009.

The Standards of Practice Committee used this valuable contribution and the examples of standards approved by other regulatory bodies and organizations serving the early childhood education community provincially, nationally and internationally to prepare *Draft Principles for the Code of Ethics and Standards of Practice* (Draft Principles).

In March 2010, the Council approved a process to validate the Draft Principles that included nine roundtable sessions. These province-wide sessions involved more than 240 members of the College and the public. Once again, the College invited participants to provide input on the Draft Principles and received over 400 online and paper-based responses. The information gathered during this process provided the Standards of Practice Committee with additional insights that were instrumental in further refinements to the draft Code of Ethics and the Standards of Practice.

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<sup>1</sup> A nine-member transitional Council, representing early childhood educators throughout Ontario and including two public members, was appointed by the Minister of Children and Youth Services to operationalize the new College of Early Childhood Educators established by the *Early Childhood Educators Act, 2007* (August 2007-February 2009).

Overall, this broad-based participation was positive and contained many constructive suggestions regarding both content and language. Based on this feedback, the Standards of Practice Committee revised the preliminary drafts of the Code of Ethics and the Standards of Practice.

At this stage, the Standards of Practice Committee decided that a number of substantive additions to the standards were required to provide direction and guidance specific to professional boundaries, dual relationships, conflicts of interest, confidentiality and consent to the release of information regarding children and families.

In July 2010, the validation process continued when the *Draft Code of Ethics and Standards of Practice* (Draft) was posted on the College website with an invitation to provide additional input. The College received over 180 responses of which the vast majority were positive in nature. The College also heard from representatives of stakeholder organizations at local, provincial and national levels regarding their insights into the draft standards.

The College also forwarded the July 2010 Draft to representatives of all provincial and territorial organizations involved with the certification of early childhood educators. The input received from this process, as well as feedback obtained through other correspondence, were integrated into committee decision-making and the ongoing revision process.

From August to November 2010, the Standards of Practice Committee continued to refine the Draft using the information received through the validation process. The Committee also drafted a glossary and other communication resources that would be used when the *Code of Ethics and Standards of Practice* document was finalized.

The Standards of Practice Committee presented the draft *Code of Ethics and Standards of Practice* document for Council's consideration in December 2010. They were approved in a by-law of the College by Council on December 1, 2010 as the Code of Ethics and the Standards of Practice for members of the College. February 28, 2011 was approved as the date for this by-law to come into force.

The Council is committed to conducting a review of the *Code of Ethics and Standards of Practice* after an appropriate period of time.

# Introducing Our Code of Ethics and Standards of Practice

The purpose of the Standards of Practice is to provide assistance to members of the College of Early Childhood Educators (the College) and to promote excellence in their practice. The Standards of Practice set out standards of professional practice and conduct, while the Code of Ethics articulates ethical standards which apply to professional practice and conduct. This is in accordance with one of the objects of the College as stated in the *Early Childhood Educators Act, 2007* (the Act), “to establish and enforce professional standards and ethical standards applicable to members of the College”. For the purposes of the Act (Section 33), and the Professional Misconduct Regulation (see Appendix A for Ontario Regulation 223/08), the Code of Ethics and the Standards of Practice have been approved in a by-law of the College as ethical standards and standards of practice for its members. The Code of Ethics and the Standards of Practice are to be applied to members’ practices in conjunction with any applicable legislation and regulations.

The Standards of Practice apply to the breadth and scope of the practice of early childhood education. Throughout the scope of practice for the profession, there are variations in approaches and members vary their methods in response to the demands of a particular situation. The Standards of Practice prescribe the basis on which professional practice is conducted in a sound and ethical manner, regardless of the context in which that practice occurs.

The College has established the following six standards dealing with specific issues in the practice of early childhood education:

- I. Caring and Nurturing Relationships that Support Learning
- II. Developmentally Appropriate Care and Education
- III. Safe, Healthy and Supportive Learning Environments
- IV. Professional Knowledge and Competence
- V. Professional Boundaries, Dual Relationships and Conflicts of Interest
- VI. Confidentiality and Consent to the Release of Information Regarding Children and their Families

Taken together, the Code of Ethics and the Standards of Practice serve to guide, assist and direct the professional practice of College members. Both the Code of Ethics and the Standards of Practice apply to all aspects of practice, unless otherwise stated in a particular standard, and are used to determine and adjudicate issues of professional conduct.

# Notes

# CODE OF ETHICS

Members (“Early Childhood Educators” or “members”) of the College of Early Childhood Educators are committed to the Code of Ethics. The Code of Ethics reflects a core set of beliefs and values of care, respect, trust and integrity. These beliefs and values are fundamental to members of the profession and guide their conduct.

## A. Responsibilities to Children

Early Childhood Educators make the well-being and learning of all children who are under their professional supervision their foremost responsibility. They value the rights of the child, respecting the uniqueness, dignity and potential of each child, and strive to create learning environments in which children experience a sense of belonging.

Early Childhood Educators are caring, empathetic, fair and act with integrity. Early Childhood Educators foster the joy of learning through play-based pedagogy.

## B. Responsibilities to Families

Early Childhood Educators value the centrality of the family to the health and well-being of children. They recognize and respect the uniqueness and diversity of families.

Early Childhood Educators strive to establish and maintain reciprocal relationships with family members of children under their professional supervision. These relationships are based on trust, openness and respect for confidentiality. Early Childhood Educators collaborate with families by exchanging knowledge and sharing practices and resources.

## C. Responsibilities to Colleagues and to the Profession

Early Childhood Educators interact with colleagues and other professionals in ways that demonstrate respect, trust and integrity. Through their conduct, Early Childhood Educators strive to enhance the status of the profession in their workplaces and in the wider community.

Early Childhood Educators value lifelong learning and commit themselves to engaging in continuous professional learning to enhance their practice. They support experienced colleagues, those who are new to the profession and students aspiring to the profession.

## D. Responsibilities to the Community and to Society

Early Childhood Educators value and engage in collaboration with community agencies, schools and other professionals.

Early Childhood Educators recognize that they contribute to community and society by advocating for and promoting an appreciation of the profession, children and early learning.

# Notes

# STANDARDS OF PRACTICE

## STANDARD I: Caring and Nurturing Relationships that Support Learning

- A. Early Childhood Educators recognize that families are of primary importance in children's development and that children are best understood in the context of their families.
- B. Early Childhood Educators make reasonable efforts to familiarize themselves with available information<sup>i</sup> regarding the relevant family circumstances of children under the member's professional supervision (including, but not limited to, relevant information concerning the child's health, legal custody and/or guardianship<sup>ii</sup>).
- C. Early Childhood Educators strive to establish and maintain ongoing and open communication regarding the development and learning of a child under the member's professional supervision with the child's parents and/or legal guardians.<sup>iii</sup>
- D. Early Childhood Educators are attuned to the needs of children and families and advocate with families on behalf of children. They provide nurturing learning environments where children thrive and families are welcome.
- E. Early Childhood Educators establish professional and caring relationships with children and families. They engage both children and their families by being sensitive and respectful of diversity, equity and inclusion. Early Childhood Educators are receptive listeners and offer encouragement and support by responding appropriately to the ideas, concerns and needs of children and families.
- F. Early Childhood Educators ensure that in their relationship with the child's family, the needs and best interests of the child are paramount.

# Notes



## **STANDARD II: Developmentally Appropriate Care and Education**

### **A. Knowledge and Application of Theory and Practice**

1. Early Childhood Educators demonstrate a thorough knowledge of child development theories. They use this knowledge to plan, implement and assess developmentally appropriate learning strategies.
2. Early Childhood Educators recognize children's unique characteristics, and access the resources necessary to adapt the early learning environment to suit the child. Early Childhood Educators recognize that child development milestones and behaviours vary and they acknowledge and respect those differences.

### **B. Consideration of Children's Needs**

1. Early Childhood Educators provide care and education to individuals, small groups and large groups. They make ongoing decisions concerning children's need for support and assistance.
2. Early Childhood Educators foster children's independence and inter-dependence. They provide opportunities for children to develop the skills needed to regulate their behaviour and to make decisions.

### **C. Support of Learning Styles**

1. Early Childhood Educators recognize that children have different learning styles. They focus on the whole child and plan caring and creative learning opportunities that reflect individual learning styles. Early Childhood Educators, through these learning opportunities, foster the development of a child's sense of self.

# Notes

## **STANDARD III: Safe, Healthy and Supportive Learning Environments**

### **A. Safe**

1. Early Childhood Educators maintain safe and healthy learning environments.

### **B. Healthy**

1. Early Childhood Educators obtain and familiarize themselves with information concerning any relevant medical conditions, exceptionalities, allergies, food restrictions, medication requirements and emergency contact information relating to children under their professional supervision. This information is obtained and reviewed in a timely manner, when a child comes under the member's professional supervision or as soon after that time as the information becomes available.
2. Early Childhood Educators provide opportunities for young children to experience nature, and to understand their relationship to their natural environment and to the world.
3. Early Childhood Educators promote a healthy lifestyle including but not limited to nutrition and physical activity.

### **C. Supportive**

1. Early Childhood Educators support children in culturally, linguistically and developmentally sensitive ways and provide caring, stimulating and respectful opportunities for learning and care that are welcoming to children and their families, within an inclusive, well-planned and structured environment.

# Notes

## **STANDARD IV: Professional Knowledge and Competence**

### **A. Knowledge**

1. Early Childhood Educators are current in their professional knowledge about the continuum of child development and the pedagogy related to early learning, curriculum, program planning, parenting and family dynamics. They apply this knowledge in their practice with individual children, and in small or large group settings. Early Childhood Educators know and demonstrate how to address the child's physical, cognitive, language and emotional/social development and well-being in an integrated and holistic way.
2. Early Childhood Educators know, understand and abide by the legislation, policies and procedures that are relevant to their professional practice and to the care and learning of children under their professional supervision.
3. If there is a conflict between the College's Code of Ethics and the Standards of Practice and a member's work environment and/or the policies and procedures of his or her employer, Early Childhood Educators have an obligation to comply with the College's Code of Ethics and the Standards of Practice.

### **B. Practice**

1. Early Childhood Educators plan and develop play-based curricula and programs along a continuum of early childhood development. They plan and prepare a child-centred program that provides learning opportunities for all the developmental domains. Early Childhood Educators provide individualized assistance and opportunities for children to develop a sense of belonging to a group and provide safe and secure supervision of children based on age and stage of development.
2. Early Childhood Educators assess, obtain information about and familiarize themselves with the levels of development of the children under their professional supervision for the purpose of planning and developing curriculum and programs which are appropriate to and meet the needs of the children.
3. Early Childhood Educators observe and monitor the learning environment and anticipate when support or intervention is required.
4. Early Childhood Educators observe, assess, evaluate, document and report on children's progress along all domains of child development. As they work with children, families and other adults, Early Childhood Educators set goals, make decisions, resolve challenges, decide on developmentally responsive activities and experiences, provide behaviour guidance and work collaboratively in the best interest of the children under their professional supervision.

5. Early Childhood Educators ensure that their decisions and actions in their professional practice are appropriately supported by a credible body of professional knowledge in the field of early childhood education. Early Childhood Educators are able to explain the foundations of their practice and their decision-making processes and to communicate to parents and other professionals the benefits of play for child development.

### **C. Professionalism with Colleagues and Other Professionals**

1. Early Childhood Educators work collaboratively with colleagues in their workplaces in order to provide safe, secure, healthy and inviting environments for children and families. By supporting, encouraging and working collaboratively with their co-workers, Early Childhood Educators enhance the culture of their workplaces. They build effective relationships with colleagues and other professionals by using clear verbal and written communication, and positive interpersonal skills.
2. Early Childhood Educators build a climate of trust, honesty and respect in the workplace. They respect the privacy of colleagues and handle information with an appropriate level of confidentiality. Early Childhood Educators support experienced colleagues, those who are new to the profession and those students aspiring to the profession.
3. Early Childhood Educators who are responsible for supervising students, volunteers and/or other staff (collectively referred to as “supervisees”) provide guidelines, parameters and direction to supervisees that respect their rights. Early Childhood Educators ensure a level of supervision which is appropriate in light of the supervisee’s education, training, experience and the activities being performed.
4. Early Childhood Educators, working collaboratively with community resource persons and members of other professions, access the resources and expertise available in their communities. They strive to facilitate community partnerships for the benefit of children and families.

### **D. Professionalism with the College**

1. Early Childhood Educators have a duty to co-operate fully with all the College’s policies and procedures and conduct themselves in a manner which demonstrates respect for both the College and other individuals involved. This duty applies where, among other things, an investigation of a complaint or mandatory report regarding a member is underway, a matter has been referred to the Discipline Committee or the Fitness to Practise Committee for a hearing or there are other assessments, reviews, investigations or proceedings before the College which involve a member.

### **E. Professionalism as an Individual**

1. Early Childhood Educators strive for excellence in their professional practice and critical thinking. Early Childhood Educators access current evidence-based research and are able to transfer this knowledge into practice. They are aware of the need to enhance their own learning in order to support both children and families. Early Childhood Educators demonstrate their commitment to ongoing professional development by engaging in continued learning.
2. Early Childhood Educators recognize that they are role models for children, families, members of their profession, supervisees and other colleagues and avoid conduct which could reasonably be perceived as reflecting negatively on the profession of early childhood education.

# Notes



## **STANDARD V: Professional Boundaries, Dual Relationships and Conflicts of Interest**

- A. Early Childhood Educators are in a position of power and responsibility toward children under their professional supervision. This necessitates that care be taken to ensure that these children are protected from the abuse of such power during, after, or referable to the provision of professional services.
1. Early Childhood Educators do not abuse physically, sexually, verbally, psychologically or emotionally a child who is under the member's professional supervision.
  2. Early Childhood Educators do not use information about a child or family obtained in the course of a professional relationship, and do not use their professional position of authority, to coerce, improperly influence, harass, abuse or exploit a child who is under the member's professional supervision, or the child's family.
  3. Early Childhood Educators do not solicit or use information from a child who is under the member's professional supervision or the child's family to acquire, either directly or indirectly, advantage or material benefits.
- B. Early Childhood Educators establish and maintain clear and appropriate boundaries in professional relationships (including relationships with children under the member's professional supervision and/or their families and/or supervisees<sup>i</sup>) and do not violate those boundaries. Boundary violations include sexual misconduct and other misuse and abuse of the member's power. Non-sexual boundary violations may include emotional, physical, social and financial violations. Members are responsible for ensuring that appropriate boundaries are maintained in all aspects of professional relationships.
- C. Early Childhood Educators do not engage in professional relationships that constitute a conflict of interest or in situations in which members ought reasonably to have known that the child under their supervision would be at risk in any way.<sup>ii</sup> Early Childhood Educators do not provide a professional service while the member is in a conflict of interest.
1. Early Childhood Educators evaluate professional relationships and other situations involving children under the member's professional supervision and the families or guardians of those children for potential conflicts of interest and seek consultation to assist in identifying and dealing with such potential conflicts of interest.

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

2. Early Childhood Educators avoid conflicts of interest and/or dual relationships with children under the member's professional supervision and/or their families or with colleagues or supervisees that could impair the member's professional judgment or increase the risk of exploitation or harm to children under the member's professional supervision.<sup>iii</sup>
3. If a conflict of interest situation does arise, Early Childhood Educators declare the conflict of interest and take appropriate steps to address the conflict.<sup>iv</sup>

## **STANDARD VI: Confidentiality and Consent to the Release of Information Regarding Children and their Families**

- A. Early Childhood Educators respect the privacy of children under their professional supervision and the families of those children by holding in strict confidence all information about them and by complying with any applicable privacy and other legislation. Early Childhood Educators 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.
  - 1. Early Childhood Educators provide parents and/or legal guardians, on request, with access to records maintained by the member in respect to their child or such parts of those records as are relevant, unless there is reasonable cause for refusing to do so.
  - 2. Early Childhood Educators comply with any applicable privacy and other legislation. Early Childhood Educators obtain consent to the collection, use or disclosure of information concerning children under their professional supervision, or their families, including personal information unless otherwise permitted or required by law.
  - 3. Early Childhood Educators employed by an organization maintain a thorough understanding of the organization's policies and practices relating to the management of information.<sup>i</sup>
  
- B. Early Childhood Educators who are responsible for complying with privacy legislation establish clear policies and practices relating to the management of client information and make information about these policies and practices readily available in accordance with any applicable privacy or other legislation.<sup>ii</sup>
  
- C. When Early Childhood Educators are employed by an agency or organization, College standards of confidentiality may conflict with the organization's policies and procedures concerning confidentiality. Where there is a conflict, College standards take precedence.
  
- D. Early Childhood Educators shall not disclose information concerning or received from children under their professional supervision, or the families of those children, except in accordance with the following requirements:
  - 1. When in a review, investigation or proceeding under the 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 under the member's professional supervision 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. Early Childhood Educators do not divulge more information than is reasonably required.

2. When disclosure is required or allowed by law or by order of a court, Early Childhood Educators do not divulge more information than is required or allowed.
  3. Early Childhood Educators have individuals (or, in the case of children, their parents or guardians) sign completed consent forms prior to the disclosure of information relating to them, where consent is required. In urgent circumstances, a verbal consent by the individual (or, in the case of a child, the child's parent or guardian) to the disclosure of information may constitute proper authorization. The member should document that this consent was obtained.
  4. When consent to the disclosure of information is required, Early Childhood Educators make reasonable efforts to inform the person whose consent is being sought of the parameters of information to be disclosed and to advise that person of the possible consequences of such disclosure.
- E. Early Childhood Educators inform the parents or guardians of children under the member's professional supervision early in their relationship about the limits of confidentiality of information. For example, Early Childhood Educators explain the need for sharing pertinent information with supervisors, co-workers, administrative staff and volunteers.
- F. Early Childhood Educators obtain consent from the parents or guardians of the children under their professional supervision before electronically recording, photographing, audio or video taping or permitting third party observation of the children's activities. Early Childhood Educators comply with the requirements regarding use or disclosure of information for research or educational purposes set out in any applicable privacy and other legislation.
- G. Early Childhood Educators may use public information and/or non-identifying information for research, educational and publication purposes.

# Standards of Practice: Endnotes

## **Standard I: Caring and Nurturing Relationships that Support Learning**

<sup>i</sup> See: Standard III. B(1): Early Childhood Educators obtain and familiarize themselves with information concerning any relevant medical conditions, exceptionalities, allergies, food restrictions, medication requirements and emergency contact information relating to children under their professional supervision. Such information is obtained and reviewed in a timely manner, when a child comes under the member's professional supervision or as soon after that time as the information becomes available.

<sup>ii</sup> Throughout the Standards of Practice contained in this document, the term "parent" includes parents and/or legal guardians, except where otherwise indicated.

<sup>iii</sup> See Standard VI. Confidentiality and Consent to Release of Information Regarding Children and their Families, subparagraphs A(1) and D(3) regarding access to records maintained by a member in respect of a child by the child's parents and/or legal guardian.

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

<sup>i</sup> See: Standard IV. C(3): "Supervisees" include students, volunteers and/or other staff supervised by the member.

<sup>ii</sup> "Conflict of Interest" is defined as a situation in which a member has a personal, financial or other professional interest or obligation which gives rise to a reasonable apprehension that the interest or obligation may influence the member in the exercise of his or her professional responsibilities. Actual influence is not required in order for a conflict of interest situation to exist. It is sufficient if there is a reasonable apprehension that there may be such influence.

One of the hallmarks of a conflict of interest situation is that a reasonable person, informed of all of the circumstances, would have a reasonable apprehension (in the sense of reasonable expectation or concern) that the interest might influence the member. The influence need not be actual but may simply be perceived. However, a mere possibility or suspicion of influence is not sufficient to give rise to a conflict of interest. The interest must be significant enough to give rise to a "reasonable apprehension" that the personal, financial or other professional interest may influence the member in the performance of his or her professional responsibilities.

<sup>iii</sup> "Dual Relationship" is defined as a situation in which an Early Childhood Educator, in addition to his or her professional relationship, has one or more other relationships with a child under the member's professional supervision, the child's family, a colleague or a supervisee, regardless of whether this occurs prior to, during, or following the provision of professional

services. A dual relationship does not necessarily constitute a conflict of interest; however, where dual relationships exist, there is a strong potential for conflict of interest and there may be an actual or perceived conflict of interest. Relationships beyond the professional one include, but are not limited to, those in which the College member has a personal, familial or business relationship with a child under the member's professional supervision, the child's family, a colleague or a supervisee. Members embark on an evaluation of whether a dual relationship might impair professional judgment or increase the risk of exploitation or harm to a child under the member's professional supervision.

<sup>iv</sup> It may be extremely difficult or impossible for members working in certain small communities or remote locations, or in certain ethnic or religious communities to entirely avoid dual relationships or situations which may give rise to a conflict of interest. In those circumstances, members should declare the conflict of interest, take appropriate steps to address it, attempt to eliminate the conflict if possible and take steps to reduce or eliminate any resulting risk of harm or exploitation to children under the member's professional supervision.

## **Standard VI: Confidentiality and Consent to the Release of Information Regarding Children and their Families**

<sup>i</sup> The member must maintain a thorough understanding of the organization's information management policies and practices, including those regarding:

1. When, how and the purposes for which the organization routinely collects, uses, modifies, discloses, retains or disposes of information;
2. The administrative, technical and physical safeguards and practices that the organization maintains with respect to the information;
3. How an individual may obtain access to or request correction of a record of information about the individual; and
4. How to make a complaint about the organization's compliance with its policies and practices.

<sup>ii</sup> Privacy legislation currently includes the federal *Personal Information Protection and Electronic Documents Act*, the federal *Privacy Act*, the *Personal Health Information Act, 2004*, the provincial *Freedom of Information and Protection of Privacy Act* and the *Municipal Freedom of Information and Protection of Privacy Act*.

# Glossary

## **Belonging**

The experience of security, inclusion, respect and competence by children, parents and staff.<sup>1</sup>

## **Child Development**

The process of change in which the child comes to acquire more and more complex levels of moving, thinking, feeling and interacting with people and objects in the environment. Development involves both a gradual unfolding of biologically determined characteristics and the learning process. Children's development is holistic and inter-dependent, including physical health and well-being, as well as intellectual, language, emotional and social growth. It is embedded in the contexts of family, culture and society.<sup>2</sup>

## **Conflict of Interest**

See Standard V: endnote<sup>ii</sup> p. 27.<sup>3</sup>

## **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.<sup>4</sup>

## **Curriculum**

The sum total of experiences, activities and events designed to foster children's development, learning and well-being.<sup>5</sup>

## **Developmentally Appropriate**

An approach to working with children where early childhood educators use their knowledge of child development to create learning environments and experiences that match the individual child's developing abilities and stimulate their interests, understanding and emerging skills.

## **Diversity**

Differences and uniqueness that each person brings to the early learning setting including values and beliefs, culture and ethnicity, language, ability, education, life experiences, socio-economic status, spirituality, gender, age and sexual orientation.<sup>6</sup>

## **Dual Relationship**

See Standard V: endnote<sup>iii</sup> p. 27.<sup>7</sup>

## **Early Childhood Education**

Professional practice which includes the assessment and promotion of the well-being and holistic development of children through the planning and delivery of inclusive play-based learning and care programs within the context of diverse family, school and community groups.

## **Early Childhood Educator**

A registered member of the College of Early Childhood Educators.

## **Early Learning Environment**

An environment focused on relationships among children, parents and early childhood education professionals that provides care, nurturing and education as a complex and coherent whole, with the goals of fostering children's holistic development and well-being. It includes schedules, routines, physical environment, interactions, activities and experiences.<sup>8</sup>

### **Equity**

An inclusive approach to practice which creates an early learning environment that recognizes, values and builds on the diversity of each child and family.

### **Exceptionalities**

Characteristics or abilities of children who may need specialized attention or support to reach their full potential in all areas of development.

### **Family**

A group of children and adults who are related by affection, kinship, dependency or trust, such as single-parent families, same-sex families, multi-generational families and foster families.<sup>9</sup>

### **Inclusion**

An approach to practice in early learning and care settings where all children are accepted and served within a program and where each child and family experiences a sense of belonging and no child or family is stigmatized or marginalized. Inclusion means to bring people in, rather than to exclude them – in thought, word or deed.<sup>10</sup>

### **Pedagogy**

The understanding of how learning takes place and the philosophy and practice that supports that understanding of learning.<sup>11</sup>

### **Play-based Pedagogy**

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

### **Privacy Legislation**

See Standard VI: endnote<sup>ii</sup> p. 28.

## **Sources**

- <sup>1</sup> Ministry of Children and Youth Services. (2007). *Early Learning for Every Child Today (ELECT): A Framework for Ontario Early Childhood Settings*. Toronto, ON, p. 85.
- <sup>2</sup> Early Childhood Care for Development. (2009). *What is ECCD? Early Childhood Care for Development: A Definition*. Retrieved September 24, 2010 from the ECCD website, [http://www.ecdgroup.com/what\\_is\\_ECCD.asp](http://www.ecdgroup.com/what_is_ECCD.asp).
- <sup>3</sup> Ontario College of Social Workers and Social Service Workers. (2008). *Code of Ethics and Standards of Practice Handbook*, second edition. Toronto, ON, p. 40.
- <sup>4</sup> Ministry of Children and Youth Services, *ELECT*, p. 86.
- <sup>5</sup> Ministry of Children and Youth Services, *ELECT*, p. 86.
- <sup>6</sup> Ministry of Children and Youth Services, *ELECT*, p. 86.
- <sup>7</sup> Ontario College of Social Workers and Social Service Workers, *Code of Ethics and Standards of Practice Handbook*, p. 40.
- <sup>8</sup> Ministry of Children and Youth Services, *ELECT*, p. 87.
- <sup>9</sup> Child Care Human Resources Sector Council. (2010). *Occupational Standards for Early Childhood Educators*. Ottawa, ON, p. 110.
- <sup>10</sup> Child Care Human Resources Sector Council, *Occupational Standards for Early Childhood Educators*, p. 110.
- <sup>11</sup> Ministry of Children and Youth Services, *ELECT*, p. 90.
- <sup>12</sup> Ministry of Children and Youth Services, *ELECT*, p. 90.



# Appendix A: Professional Misconduct Regulation

## PROFESSIONAL MISCONDUCT

Ontario Regulation 223/08  
Current as of December 1, 2010

### Definitions

1. In this Regulation,  
“child” means a person under the age of 18 years; (“enfant”)  
“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.

### Professional misconduct

2. The following conduct is defined as constituting professional misconduct for the purposes of clause 33 (2) (c) of the Act:

#### 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. Abusing physically, sexually, verbally, psychologically or emotionally 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. Failing to comply with the Act, the regulations or by-laws.
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 Discipline Committee or of the Fitness to Practise 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.

#### **Same, 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 section 2 is defined as professional misconduct for the purposes of clause 33 (2) (c) of the Act.  
O. Reg. 223/08, s. 3.

- 4.** Omitted (provides for coming into force of provisions of this Regulation). O. Reg. 223/08, s. 4.

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