CONSOLIDATION OF

BY-LAW NO. 1
OF
COLLEGE OF EARLY CHILDHOOD EDUCATORS

GENERAL BY-LAW

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(October 21, 2026)

A by-law relating generally to the transaction of the business and affairs of the College of Early Childhood Educators.

BE IT ENACTED as a by-law of the College as follows:

1. DEFINITIONS

1.01 In this By-law, unless otherwise defined or required by the context, the following words and phrases shall have the meanings set out below:

"**Act**" means the *Early Childhood Educators Act, 2007*, as the same may be amended from time to time.

"**Business Day**" means any day other than a Holiday.

"**By-laws**" means the by-laws made under the Act.

"**College**" means the College of Early Childhood Educators.

"**Committee**" means a committee required by subsection 19(1) of the Act or any other committee established by Council.

"**Council**" includes the transitional Council of the College appointed in accordance with the Act.

"Councillor" means a member of Council elected or appointed in accordance with the Act and includes a member of the transitional Council appointed in accordance with the Act.

"**Holiday**" means

a) any Saturday or Sunday;

b) New Year's Day;

c) Family Day;

d) Good Friday;

e) Victoria Day;

f) Canada Day;

g) Civic Holiday;

h) Labour Day;

i) Thanksgiving Day;

j) Christmas Day;

k) Boxing Day;

l) Where New Year's Day, Canada Day, Christmas Day, or Boxing Day falls on a Saturday or Sunday, the additional day designated by the College as a holiday;

m) Any special holiday proclaimed by the Governor General or the Lieutenant Governor; and

n) Any other day designated by the College as a holiday.

"**Minister**" means the Minister of Education or any other member of the Executive Council to whom the administration of the Act is assigned under the *Executive Council Act*.

"**member of the College**" means an individual who holds a certificate of registration issued under the Act.

"**Registrar"** includes the person appointed to act as transitional Registrar and a person appointed as acting Registrar by the Council during a vacancy in the office of the Registrar or the disability or absence of the Registrar.

"**Regulations**" means the regulations made under the Act.

"Signing Officer" means the Registrar, Council Chair, Council Vice-Chair, Deputy Registrar, Chief Operating Officer and such other Councillors or other individuals employed by the College as are named by the Council.

2. SEAL

2.01 The seal, an impression whereof is stamped in the margin hereof, shall be the corporate seal of the College.

2.02 Any person authorized to sign any document on behalf of the College may affix the seal thereto.

3. HEAD OFFICE

3.01 The head office of the College shall be in the City of Toronto, in the Province of Ontario, and at such place therein as the Council may, from time to time, determine.

4. BANKING

4.01 In this article, "bank" means any bank or trust company appointed under section 4.02.

4.02 The Council shall appoint one or more banks chartered under the *Bank Act* (Canada) or trust companies for the use of the College.

4.03 All money belonging to the College shall be deposited in the name of the College with the bank.

4.04 Any one Signing Officer may endorse any negotiable instrument for collection on account of the College through the bank or for deposit to the credit of the College with the bank and the College's stamp may be used for such endorsement.

4.05 Securities and other financial documents shall be placed with the bank in the College's safety deposit box designated for this use. Any and all securities and financial documents so deposited may be withdrawn, from time to time, only upon the written order of the College, signed by such Signing Officers or Signing Officer, and in such manner as shall from time to time be determined by resolution of the Council and such authority may be general or confined to specific instances.

4.06 All cheques, bills of exchange or other orders for payment of money, notes or other evidences of indebtedness issued in the name of the College shall be signed by such Signing Officers or Signing Officer, or such other person or persons as Council may designate, direct or authorize from time to time by resolution and in such manner as shall from time to time be determined by resolution of the Council.

4.07 Any one Signing Officer may arrange, settle, balance and certify all books and accounts between the College and the bank, and may receive all paid cheques and vouchers and sign all bank forms or settlement of balances and release or verification slips.

5. INVESTMENT

5.01 The Registrar may invest funds on behalf of the College in such manner as the Council may, from time to time, direct.

6. BORROWING

6.01 The Council may from time to time, without authorization by the members of the College, by resolution,

(a) borrow money on the credit of the College,

(b) limit or increase the amount or amounts to be borrowed,

(c) issue, reissue, sell or pledge debt obligations of the College, and

(d) mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the College owned or subsequently acquired, to secure any obligation of the College.

6.02 The Council may from time to time authorize any Councillor or Councillors, officer or officers or employee of the College to make arrangements with reference to the monies borrowed or to be borrowed as aforesaid and as to the terms and conditions of the loan thereof and as to the securities to be given therefor, with power to vary or modify such arrangements, terms and conditions and to give such additional debt obligations for any monies borrowed or remaining due by the College as Council may authorize.

6.03 The words "**debt obligations**" as used in this Article 6 mean bonds, debentures, banker's acceptances, notes or other similar obligations or guarantees of such an obligation, whether secured or unsecured.

6.04 Without limiting the generality of the provisions of By-law No. 11, the Executive Committee shall be authorized to exercise all of the powers of Council under this Article 6.

7. EXECUTION OF DOCUMENTS

7.01 Any instruments in writing may be signed in the name of and on behalf of the College by any two Signing Officers. The term "**instruments in writing**" as used in this By-law, shall, without limiting the generality thereof, include contracts, documents, deeds, mortgages, charges, security interests, conveyances, transfers and assignments of property, agreements, tenders, releases, receipts and discharges for the payment of money or other obligations and all paper writings.

7.02 Any two of the Signing Officers or any persons from time to time designated by resolution of the Council may vote or transfer any and all shares, bonds or other securities from time to time standing in the name of the College in its individual or any other capacity or as trustee or otherwise and may accept in the name and on behalf of the College transfers of shares, bonds or other securities from time to time transferred to the College, and may affix the corporate seal to any such transfers or acceptances of transfer, and may make, execute and deliver under the corporate seal any and all instruments in writing necessary or proper for such purposes, including the appointment of an attorney or attorneys to make or accept transfers of shares, bonds or other securities on the books of any company or corporation.

7.03 Notwithstanding any provisions to the contrary contained in the By-laws, the Council may at any time, by resolution, direct the manner in which, and the person or persons by whom, any particular instrument in writing, contract or obligations of the College or class of instruments in writing, contracts or obligations of the College may or shall be executed.

7.04 The seal of the College shall, when required, be affixed to contracts, documents, or instruments in writing, signed as aforesaid.

8. FINANCIAL AUDIT

8.01 The fiscal year of the College is from July 1 to June 30.

8.02 The Council shall annually appoint auditors who are duly licensed under the *Public Accountancy Act* to hold office until their successors are appointed.

8.03 In the event that the auditors appointed in section 8.02 are unable to continue their duties as agreed, the Council may appoint new auditors.

8.04 The Council may, by a resolution passed by at least two-thirds of the votes cast at a meeting of Council called for the purpose, remove the auditors before the expiration of the term of office and shall, by a majority of the votes cast at that meeting, appoint successor auditors for the remainder of the term.

8.05 The remuneration of the auditors shall be fixed, from time to time, by the Council.

8.06 No one shall be appointed as an auditor who is a member of the Council or of the College.

8.07 The auditors shall conduct their audit in accordance with Canadian generally accepted auditing standards and issue an audit report on the financial statements prepared by management within six months of the end of the fiscal year of the College.

8.08 The auditors have a right of access, at all reasonable times, to all records, documents, books, accounts and vouchers of the College and are entitled to require from the Councillors, officers, employees and members of the College such information as is necessary in their opinion to enable them to report as required by law or under this Article.

9. COUNCIL

9.01 The affairs of the College shall be managed and administered by the Council as the same is established under the Act, the Regulations and the By-laws.

10. POWERS OF COUNCIL

10.01 The Council shall have full power with respect to the affairs of the College, including enactment, amendment and revoking of By-laws, and no By-law or resolution passed or enacted by the Council, or any other action taken by the Council, requires confirmation or ratification by the members of the College in order to become valid or bind the College. Without limiting the generality of the powers of the Council as set out in this section 10.01, the Council shall have the power to approve policies related in any way to the registration of members of the College and to pass all necessary rules and regulations related in any way to the operation of any premises owned by or leased to the College. Notwithstanding the foregoing provisions of this section 10.01, the Councillors shall not carry out any

of the duties or responsibilities of the Registrar unless there is a vacancy in that office or unless the Registrar is incapacitated.

11. DUTIES OF COUNCILLORS

11.01 Councillors and members of Committees shall perform their duties in accordance with the Act, the By-laws and the policies and procedures of the College.

12. COUNCIL MEETINGS

12.01 The Council shall be composed of the members of Council elected as provided in the By-laws and those persons who are appointed by the Lieutenant Governor in Council.

12.02 A majority of the Councillors shall form a quorum for the transaction of business.

12.03 Except as otherwise required by law, the Council may hold its meetings at the head office of the College or at any such place or places, in Ontario, as it may, from time to time, determine.

12.04 Meetings of Council may be formally called by the Council Chair or any three Councillors or by the Registrar on the direction of any of the foregoing.

12.05 Notice of the meetings of Council shall be given to each Councillor not less than three (3) days before the meeting is to take place.

12.06 Notwithstanding Article 20 of this By-law, notice of the meetings of Council shall be given to the members of the College and to the public in any manner as Council may, from time to time, consider reasonable.

12.07 Any Councillor may, at any time, waive notice of any Council meeting and may ratify and approve of any or all proceedings taken at such meeting.

12.08 The declaration of the Registrar or Council Chair that notice has been given pursuant to this By-law shall be sufficient and conclusive evidence of the giving of such notice.

12.09 Council may appoint a day or days in any month or months for regular meetings, at an hour to be named, and of such regular meeting no notice need be sent.

12.10 No formal notice of any meeting of Council shall be necessary if all of the Councillors are present, or if those absent have signified their consent to the meeting being held in their absence.

12.11 A meeting of Council may also be held, without notice, immediately following the annual meeting of the members of the College.

12.12 Council may only consider or transact:

(a) at any Council meeting other than a meeting which is not open to the public:

(i) all matters placed on the agenda;

(ii) matters brought forward by the Executive Committee or the Registrar for deliberation or ratification;

(iii) recommendations and reports by Committees, including any proposed policy statements;

(iv) matters of which notice was given to the Registrar by a Councillor at the preceding Council meeting or where written notice has been given fourteen days in advance of the Council meeting;

(v) such other matters, not included in the agenda for the Council meeting, as a majority of Councillors in attendance determine to be of a sufficiently urgent nature; and

(vi) routine and procedural matters; and

(b) at a meeting that is not open to the public:

(i) the matter or matters for decision at the Council meeting contained in the notice of meeting provided to the Councillors;

(ii) matters brought forward by the Executive Committee or the Registrar for deliberation or ratification and which properly may be dealt with in a meeting that is not open to the public;

(iii) such other matters, not included in such notice, as a majority of the Councillors in attendance determine to be of a sufficiently urgent nature and which properly may be dealt with in a meeting that is not open to the public; and

(iv) routine and procedural matters.

12.13 No error or omission in giving notice for a meeting of Council shall invalidate such meeting or invalidate or make void any proceedings taken or had at such meeting and any Councillor may, at any time, waive notice of any such meeting.

12.14 Unless otherwise required by law or by the By-laws, questions arising at any meeting of Council shall be decided by a simple majority of votes cast by those Councillors present at the meeting. In case of an equality of votes, the Council Chair of the meeting shall not have a second, or casting, vote and the motion shall be considered to be lost.

12.15 Except where a secret ballot is required or at a meeting held by teleconference, every vote at a Council meeting shall be by a show of hands, but if any two

Councillors so require, a roll call vote shall be taken. A vote at a Council meeting held by teleconference shall be taken in such manner as determined by the chair of the meeting unless a Councillor requests a roll call vote in which event a roll call vote shall be taken. A declaration by the chair of the meeting that a resolution has been carried and an entry to that effect in the minutes shall be admissible in evidence as prima facie proof of the fact, without proof of the number or proportion of the votes recorded in favour of or against such resolution.

12.16 Any meetings of the Council may be held in any manner that allows all persons participating to communicate with each other simultaneously and instantaneously.

12.17 Any meetings of the Council may be adjourned to any time and from time to time and such business may be transacted at such adjourned meetings as might have been transacted at the original meeting from which such adjournment took place. No notice shall be required of any such adjournment. Such adjournment may be made notwithstanding that no quorum is present.

12.18 In any point of procedure not covered in the By-laws, the rules of procedure in Wainberg's Society Meetings, as published from time to time, shall be followed so far as they may be applicable, provided that said Rules of Order are not inconsistent with the Act, the Regulations or the By-laws. Where such inconsistency exists, the Act, the Regulations or the By-laws shall govern.

12.1 EXECUTIVE COMMITTEE (deleted)

13. COMMITTEES (deleted)

14. OFFICERS OF THE COLLEGE

14.01 There shall be a Council Chair, Council Vice-Chair, Registrar, Deputy Registrar, Chief Operating Officer and such other officers as the Council may, from time to time, determine. No person may hold more than one office.

14.02 Any other officers of the College need not be Councillors nor members of the College. A Councillor may not be the Registrar or, Deputy Registrar or Chief Operating Officer. In the absence of written agreement to the contrary, the terms of engagement of all officers (except the Council Chair and Council Vice-Chair) shall be settled, from time to time, by the Council.

15. DUTIES OF THE COUNCIL CHAIR, COUNCIL VICE-CHAIR AND OTHER OFFICERS

15.01 The Council Chair shall, when present, preside at all meetings of members of the College, the Council and the Executive Committee. The Council Chair, subject to the authority of Council, shall have the general supervision of the affairs and business of the College.

15.02 The Council Chair and the Registrar, or other person appointed by the Council for that purpose, shall sign all By-laws.

15.03 The Council Chair shall be, ex officio, a member of all Committees. For the purpose of calculating the quorum required for meetings of a Committee (except the Executive Committee or a Committee of which the Council Chair is a member other than by virtue of the office), the Council Chair shall not be included in the total membership of that Committee. The Council Chair, if present, shall be included in determining whether a quorum is present.

15.04 The Council Chair shall perform such other duties as may, from time to time, be determined by the Council.

15.05 During the absence or inability of the Council Chair, the Council Chair's duties and powers may be exercised by the Council Vice-Chair or such other Councillor as the Council may, from time to time, appoint for the purpose. If the Council Vice-Chair, or such other Councillor, shall exercise any such duty or power, the absence or inability of the Council Chair shall be presumed with reference thereto.

15.06 The duties of all other officers of the College shall be such as the terms of their engagement call for or as the Council or the Registrar shall require of them.

16. REGISTRAR

16.01 The Registrar is the Chief Executive Officer of the College.

16.02 The Registrar shall be appointed by the Council by a resolution passed by a simple majority of votes cast by those Councillors present at the meeting. The Council may, by a resolution passed by at least two-thirds of the votes cast by those Councillors present at the meeting, terminate the employment of the Registrar.

16.03 The Registrar shall:

(a) give all notices required to be given to Councillors and members of the College,

(b) be the custodian of the seal of the College and of all books, papers, records, contracts and other documents belonging to the College,

(c) keep full and accurate account of all financial affairs of the College in proper form and deposit all monies or valuables in the name and to the credit of the College in such depositories as may, from time to time, be designated by the Council,

(d) disburse the funds of the College and render to the Council, whenever required, an account of the financial position of the College,

(e) engage, dismiss, supervise, and determine the terms of employment of, all other employees of the College, and execute any contracts accordingly,

(f) keep the register in the form required by the Act, the Regulations, the By-laws and the policies and procedures of the College,

(g) be responsible for and direct the administration of the affairs and operations of the College,

(h) prepare the College's annual operating and capital budget for review and, if appropriate, approval by Council,

(i) supervise the nomination and election of Councillors,

(j) implement such forms, policies and procedures as he or she considers necessary or advisable to enable the College to fulfil its obligations under the Act, the Regulations and the By-laws and to enable the College to administer its affairs in an appropriate manner,

(k) fulfil the responsibilities of the position in accordance with the Act, the Regulations, the By-laws and policies and procedures of the College, and

(l) perform such other duties as may be determined, from time to time, by the Council.

17. DEPUTY REGISTRAR AND ACTING REGISTRAR

17.01 The Council may appoint a Deputy Registrar who shall be an officer of the College.

17.02 The Deputy Registrar shall have all the powers of the Registrar under the Act, Regulations or By-laws and shall perform such duties as the terms of his or her designation call for or as the Council or the Registrar shall require of him or her.

17.03 During the absence or disability of the Registrar or a vacancy in the office of the Registrar, the Council may appoint an acting Registrar who shall discharge all of the duties of the Registrar.

18. BY-LAWS

18.01 The Council may enact, amend or repeal any By-law by a simple majority of votes cast by those Councillors present at the meeting and any such action by Council shall be effective immediately without any confirmation by the members of the College or otherwise.

19. INDEMNIFICATION

19.01 Every Councillor, Committee member or officer and his or her heirs, executors, administrators, and estate shall, from time to time and at all times, be indemnified and saved harmless out of the funds of the College, from and against:

(a) all costs, charges and expenses whatsoever that such person sustains or incurs in respect of any action, suit or proceeding that is proposed, brought, commenced, or prosecuted against such person for or respect of anything done or permitted by the person in respect of the execution of the duties of such person's office, and

(b) subject to the policies and procedures of the College and the Government of Ontario, all other costs, charges and expenses that such person sustains or incurs in respect of the affairs of the College,

except any costs, charges or expenses occasioned by such person's wilful neglect or default.

20. NOTICES

20.01 Wherever, under the provisions of the Act or the By-laws, service or notice is required to be given, unless otherwise provided herein, such service or notice may be given either by personal delivery, by mail, by registered mail, by courier, by e-mail, or by fax. Any person entitled to receive any such notice under the By-laws may waive such notice either before or after the meeting or other event to which such notice refers. Service or notice shall be completed as follows:

(a) for service or notice by mail, registered mail, or courier, by depositing the same in a prepaid sealed wrapper addressed to the addressee at the address that appears in the records of the College at a post office, in a public letter box, with a courier company, or in a courier company’s drop box (as appropriate); and

(b) for service or notice by e-mail or fax, by sending a transmission electronically to the e-mail address or fax number that appears in the records of the College.

20.02 Any notice required by the By-laws shall be deemed to be sent, given or provided at the time when the notice is completed as aforesaid.

20.03 Subject to the following sentence, delivery of notices or documents served or provided by:

(a) mail or registered mail shall be determined in accordance with subsection 53(2) of the Act;

(b) courier shall be determined by the time reported by the courier; and

(c) e-mail or fax shall be deemed to be sent and delivered when the same was transmitted electronically.

Except when delivery is determined in accordance with subsection 53(2) of the Act, notices or documents delivered after 5 p.m. shall be considered to have been delivered on the next Business Day.

21. BOOKS, RECORDS AND REPORTS

21.01 The Council shall ensure that all necessary books and records of the College required by the By-laws or by any applicable statute or law are regularly and properly kept.

22. INFORMATION TO BE PROVIDED BY MEMBERS TO THE COLLEGE

22.01 Each member of the College shall provide to the College, in the manner and at the time or times determined by the Registrar, the information necessary for establishing and maintaining the register and for establishing and maintaining records necessary for the proper functioning of the College. Without limiting the generality of the foregoing, each member of the College shall provide the College with the following information:

(a) the member's full name(s), previous name(s) and name(s) commonly used;

(b) the name of the member's business or employer;

(c) the member's business address(es) (including postal code(s));

(d) the member's business telephone number(s);

(e) the member's business facsimile number(s) and e-mail address(es);

(f) the member's primary place of business or employment;

(g) the member's employment information including employment status, full-time and part-time status, and employment category;

(h) the member's home address (including postal code);

(i) the member's home telephone number;

(j) the member's home facsimile number and e-mail address(es);

(k) the member's preferred mailing address and preferred e-mail address for receiving communications from the College;

(l) the member's birth date;

(m) the member's gender; and

(n) the member's preference to communicate with the College in English or French.

22.02 If there is a change in the information provided under section 22.01 or any other information provided by the member, the member of the College shall, within thirty days of the effective date of the change, notify the Registrar in writing of the change.

22.03 When requested to do so by the College, a member of the College shall provide to the College, in the manner and at the time or times determined by the Registrar, the following information:

(a) for all premises where the member practises the profession, the name of the member's business or employer and the member's business address and business telephone number; and

(b) a description of the services the member provides at each of those premises.

22.04 Each member of the College shall provide an update of information to the College in the form, manner and at the time or times required by the College.

23. REGISTER

23.01 The following information is prescribed as information that must be kept in the register:

(a) registration status of each member and former member of the College;

(b) the registration number of each member of the College;

(c) the date on which the member's certificate of registration was issued and, if applicable, the date on which the member's certificate of registration was suspended, revoked or cancelled;

(d) where the member's certificate of registration is suspended for non-payment of a fee or penalty required by the By-laws or failure to provide information required by the By-laws, a notation of that fact;

(e) where a member's certificate of registration has expired, a notation of the expiry and the date of expiry;

(f) where a member's certificate of registration has been reinstated, a notation of the reinstatement and the date of reinstatement;

(g) where the suspension of the member's certificate of registration is removed, a notation of the removal of the suspension and the date on which the suspension was removed;

(h) where terms, conditions or limitations have been imposed on a member's certificate of registration, including terms, conditions and limitations resulting from a written undertaking or other agreement between the College and the member, or where such terms, conditions or limitations have been modified, the effective date of the imposition or modification of those terms, conditions or limitations, unless and until those terms, conditions and limitations are removed in accordance with subsection 29(2.2) of the Act;

(i) where a matter has been referred to the Discipline Committee under section 31, 32 or 36 of the Act in respect of the member and is outstanding:

(i) a notation of the fact of the referral;

(ii) the date of the referral;

(iii) a brief summary of the allegations, in the case of a referral under section 31 or 32 of the Act;

(iv) the geographic region(s) from which the incident(s) arose, in the case of a referral under section 31 or 32 of the Act;

(v) notice of the date and time of the hearing if the hearing date and time have been set;

(vi) a link to any notice of the date and time of the hearing as published on the College's website; and

(vii) the next scheduled date and time for the continuation of the hearing if the hearing was adjourned to a specific date and time or if the hearing was adjourned without a specific date or time, a notation to that effect;

(j) where, during or as a result of a complaint, report or investigation against a member, the member has resigned and agreed never again to engage in the practice of early childhood education in Ontario, a notation of the fact of the resignation and agreement;

(k) a notation of every decision of the Discipline Committee following a proceeding of the Discipline Committee, together with a link to the decision as published on the College's website and, if a finding of professional misconduct or incompetence has been made:

(i) the date on which the Discipline Committee made the finding;

(ii) the date on which the Discipline Committee made the order;

(iii) if terms, conditions or limitations have been imposed, a notation of the fact, content and effective date of the terms, conditions or limitations, unless and until those terms, conditions and limitations are removed in accordance with subsection 29(2.2) of the Act; and

(iv) if the finding(s) is appealed, a notation that it is under appeal until the appeal has been finally disposed of; and

(l) any information the College and the member have agreed should be included in the register; and

(m) where a member shares a name or other identifier in common with one or more members or former members, and the Registrar determines it is necessary in the public interest:

(i) a notation of that fact; and

(ii) such additional identifying information as may be necessary to serve and protect the public interest; and

(n) where a member has been issued a certificate of registration as required by s. 10.1 of the *Ontario Labour Mobility Act*:

(i) a notation of that fact and its implications; and

(ii) such additional information as may be necessary to serve and protect the public interest.

23.02 Notwithstanding the fact that terms, conditions and limitations imposed on a certificate of registration may be removed from the register in accordance with subsection 29(2.2) of the Act, the fact that terms, conditions and limitations were imposed in accordance with a decision of the Discipline Committee following a proceeding will continue to be contained in the register in accordance with clause 29(2)(b.5) of the Act.

23.03 Pursuant to subsection 29(2.5) of the Act, the following information shall be removed from the register by the Registrar:

(a) the information referred to in subsection 23.01(i) where the matter referred to the Discipline Committee has been resolved;

(b) the information referred to in subsection 23.01(k), if all of the following conditions have been met:

(i) the information is not a notation of a decision or resolution, or a link to the decision or resolution, ordered or adopted by the Discipline Committee that required a reprimand, an admonishment,

counselling, a fine, or the imposition of a term, condition or limitation on a certificate of registration;

(i.1) the information does not relate to a matter that resulted in an order to revoke or suspend a certificate;

(ii) more than three (3) years have passed since the order became final or such longer period of time if ordered by the Discipline Committee pursuant to paragraph 33(5)1 of the Act;

(iii) the member has made an application to the Discipline Committee for the removal of the information from the register because the information is no longer relevant to the member's suitability to practise, and if,

(A) the Discipline Committee believes that the removal of the information outweighs the desirability of public access to the information in the interest of any person affected or the public interest, and

(B) the Discipline Committee has directed the Registrar to remove the information from the register; and

(iv) the information does not relate to disciplinary proceedings concerning sexual abuse, sexual misconduct or a prohibited act involving child pornography;

(c) the information described in clauses (b.2), (b.3), and (b.5) of subsection 29(2) of the Act, if all of the following conditions have been met:

(i) the Discipline Committee determined that all of the allegations of professional misconduct or incompetence were unfounded; and

(ii) the member against whom the allegations were made requests the removal of the information; and

(d) the information described in clause (d.1) of subsection 29(2) of the Act if the Registrar is of the opinion that the information is no longer relevant to the member's membership.

23.04 The Registrar shall provide a copy of a part or parts of the register under subsection 29(4) of the Act in accordance with policies approved by Council, from time to time.

24. FORM OF COMPLAINTS

24.01 For the purposes of section 44(1)25 of the Act, a complaint shall:

(a) be in writing or in another form that is capable of being reproduced, such as a disc or tape;

(b) contain the following information:

(i) the name of the complainant;

(ii) telephone number and address at which the complainant can be contacted by the College, unless the complainant is the Registrar or another employee of the College; and

(iii) the name of the member of the College who is the subject of the complaint, or, if the complainant does not know the name of the member, sufficient particulars so that, by reasonable inquiry, the College can determine the name of the member; and

(c) contain a statement regarding the conduct or actions of the member of the College with sufficient details to identify the complainant's concerns, including,

(i) a description of the conduct or actions of the member of the College giving rise to the complaint, with sufficient particulars to enable the event or events giving rise to the complaint to be identified; and

(ii) the date(s), time(s), and place(s) of the event or events giving rise to the complaint, if known.

24.02 A complaint may contain other information which is relevant to the subject matter of the complaint or which may assist in the investigation of the complaint, including a list of the names, telephone numbers and addresses of any witnesses to the conduct or actions of the member of the College who is the subject of the complaint.

24.03 If a complaint concerns the conduct or actions of more than one member of the College, a separate complaint shall be filed in connection with the conduct or actions of each member of the College unless, in the discretion of the College, the filing of a single complaint is appropriate in the circumstances.

25. REMUNERATION

25.01 Councillors, members of Committees and individuals on a roster of eligible panellists for Committees, other than persons appointed by the Lieutenant Governor in Council, shall be paid honoraria and reimbursed by the College for reasonable expenses properly incurred while carrying out duties as members of the Council or a Committee (including without limitation on panels of Committees), in accordance with a policy approved by the Council, from time to time.

26. ANNUAL MEETING OF MEMBERS

26.01 The annual meeting of the members of the College shall be held in Ontario, at a place and time determined by the Council Chair, provided that the first annual meeting shall be held not more than fifteen (15) months after the day the transitional period defined in section 59 of the Act ends and thereafter not more than fifteen (15) months after the holding of the last preceding annual meeting.

26.02 The purpose of the annual meeting of the members of the College shall be to inform members of the College of the activities of the Council and College.

26.03 No public notice or advertising of the annual meeting of the members of the College shall be required, but notice of the time and place of every such meeting shall be given to each member of the College thirty (30) days or more before the time fixed for the holding of such meeting. Notice of an adjourned annual meeting of members of the College is not required if the time and place of the adjourned meeting is announced at the original meeting.

26.04 No error or omission in giving notice of any annual meeting or any adjourned meeting of the members of the College shall invalidate such meeting or make void any proceedings taken thereat and any member of the College may at any time waive notice of any such meeting.

26.05 The only persons entitled to attend an annual meeting of members of the College shall be the members of the College, the Councillors, the officers of the College and the auditor of the College. Any other person may be admitted only on the invitation of the chair of the meeting.

26.06 A quorum for the transaction of business at any annual meeting of members of the College shall consist of at least ten (10) members of the College present in person.

26.07 The business at the annual meeting of members of the College shall consist of reports by the Council, the auditor, and by one or more of the committees of Council. There shall be a question period during which members of the College may ask questions regarding the reports. No motions shall be proposed nor votes taken at the annual meeting of members of the College.

27. CONFLICT OF INTEREST

27.01 A "conflict of interest" is a situation in which a Councillor, a member of a Committee or an officer has a direct or indirect private or personal interest sufficient, on a reasonable basis, to influence or appear to influence the exercise of his or her duties. This includes, but is not limited to, situations involving:

(a) a direct or indirect pecuniary interest of the Councillor, member of a Committee or officer;

(b) organizations to which the Councillor, member of a Committee or officer or a member of his or her family has a direct or indirect obligation;

(c) a professional or personal relationship; or

(d) a Councillor, member of a Committee, or officer or a member of his or her family holding a position (such as director, owner, board member, officer, or employee) in another organization which involves duties to such other organization.

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.[1]

27.02 Where reference is made in section 27.01 to "a member of his or her family", it means anyone connected with the Councillor, member of the Committee, or officer by blood relationship, marriage, common-law or adoption.

27.03 Despite section 27.01, it is not a conflict of interest for a Councillor to approve resolutions relating to,

(a) the remuneration of Councillors and members of Committees;

(b) the indemnification of Councillors and members of Committees; or

(c) the acquisition of insurance in respect of the indemnification of Councillors and members of Committees.

27.04 A Councillor, a member of a Committee or an officer who has a conflict of interest in respect of any matter that is the subject of debate, action or intended action by the Council or Committee, as the case may be, or who believes that he or she may have one, shall disclose it immediately upon becoming aware of it, to,

(a) the Council Chair or chair of the Committee, as the case may be, if the Councillor, member or officer is not the Council Chair or chair of the committee; or

(b) the Council Vice-Chair or vice-chair of the Committee, as the case may be, if the Councillor, member or officer is the Council Chair or chair of the committee.

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[1] 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 Councillor, member of a Committee or officer. 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 private or personal interest may influence the Councillor, member of a Committee or officer in the exercise of his or her duties.

27.05 Unless otherwise directed by the Council pursuant to a resolution of the Council, a Councillor, a member of a Committee, or an officer who has a conflict of interest in respect of any matter that is the subject of debate, action or intended action:

(a) shall declare his or her conflict of interest at any Council meeting or any meeting of a Committee prior to any discussion to which the conflict of interest relates, provided such declaration would not constitute a breach of confidentiality;

(b) shall withdraw from any Council meeting or any meeting of a Committee during any discussion to which the conflict of interest relates;

(c) shall not vote upon any resolution to which the conflict of interest relates; and

(d) shall not attempt directly or indirectly to influence any decision of Council, or a Committee, to which the conflict of interest relates.

27.06 Every declaration of conflict of interest made under section 27.05 shall be recorded in the minutes of the meeting.

28. PROCEDURE FOR HANDLING AN ALLEGED BREACH BY A COUNCILLOR, MEMBER OF A COMMITTEE, OFFICER OR INDIVIDUAL ON A ROSTER OF ELIGIBLE PANELLISTS FOR A COMMITTEE

28.01 In this Article 28, the following words shall have the meanings set out below:

"**Agreements**" means the Agreement regarding Duties of Members of Council and the Agreement regarding Confidentiality collectively;

"**Agreement regarding Duties of Members of Council**" means the agreement entered into by an elected Councillor in accordance with By-law No. 7, as the same may be amended from time to time;

"**Agreement regarding Confidentiality**" means the agreement entered into by a Councillor, member of a Committee or individual on a roster of eligible panellists for a Committee regarding his or her duties to keep information confidential, as the same may be amended from time to time;

"**breach**" includes a failure to comply with the Code of Conduct or either of the Agreements.

"**Code of Conduct**" means the Code of Conduct approved by the Council on January 9, 2013, as the same may be amended from time to time.

"**officer**" excludes the Registrar, Deputy Registrar and Chief Operating Officer.

28.02 For greater certainty, nothing in this Article 28 is intended to have the effect of imposing the duties set out in the Code of Conduct or the Agreements on individuals to whom the Code of Conduct or Agreements do not otherwise apply.

28.03 Where a Councillor, a member of a Committee, an officer or an individual on a roster of eligible panellists for a Committee believes that another Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee has breached Article 27, the Code of Conduct or either of the Agreements, or any one or more of the foregoing, the Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee may provide a written statement to the Council Chair, the Council Vice-Chair or the Registrar setting out the following:

(a) the name of the Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee who he or she believes has breached Article 27, the Code of Conduct or either of the Agreements, or any one or more of the foregoing, and

(b) the factual basis for his or her belief.

28.04 If it is believed that a Councillor, a member of a Committee, an officer or an individual on a roster of eligible panellists for a Committee has breached Article 27, the Code of Conduct or either of the Agreements, or any one or more of the foregoing, an investigation may be conducted by or under the direction of the Council Chair, the Council Vice-Chair or the Registrar, or by or under the direction of one of the Council Chair or the Council Vice-Chair together with the Registrar, depending on the circumstances. Any two of the Council Chair, Council Vice-Chair and Registrar may attempt to resolve a matter brought to their attention under section 28.03 in any manner they deem acceptable without conducting an investigation.

28.05 The Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee whose conduct is subject to investigation shall be provided with at least fourteen (14) days to provide a written response to the alleged breach.

28.06 The results of the investigation will be reported to the Executive Committee. Subject to section 28.07, the Executive Committee will determine, after consultation with independent legal counsel, whether the matter should be referred to the Council, taking into account the seriousness of the matter and other relevant factors.[2]

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[2] There may be circumstances where the Executive Committee may exercise its discretion to consider and determine on behalf of the Council whether there has been a breach and the appropriate sanction, if any. For example, the nature of the matter may potentially give rise to complaints, discipline and/or fitness to practise proceedings, in which event the Council's consideration and determination of the matter could interfere with the ability of the relevant Committee

28.07 The Executive Committee may attempt to resolve a matter brought before it in any manner it deems acceptable without referring the matter to the Council or making any findings.

28.08 If the matter is referred to the Council, the Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee whose conduct is the subject of the alleged breach shall be provided with at least fourteen (14) days to make written submissions to the Council. Subject to the foregoing, the Council need not hold a hearing or afford to any person the opportunity of making oral or written submissions before making a decision under this Article 28.

28.09 If the matter is referred to the Council, the Council shall consider and determine, by resolution passed by at least two-thirds of the votes cast by those Councillors who are present and entitled to vote, whether the Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee has breached Article 27, the Code of Conduct, or either of the Agreements, or any one or more of the foregoing, and the appropriate sanction, if any. The vote shall be taken by secret ballot.

28.10 Sanctions may include, but are not limited to, any one or any combination of the following: a demand for an apology, a requirement for assurances that similar behaviour will not occur in the future, suspension of a Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee until an apology is received or a resolution acceptable to Council is reached, a demand for immediate written resignation of a Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee, a request for the resignation of the Councillor through the Minister, and disqualification of a Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee.

28.11 The Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee whose conduct is the subject of the alleged breach shall not take part in any Council deliberation or vote which is taken pursuant to this Article 28, and shall not be present during the vote on the issue(s). The Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee whose conduct is the subject of the alleged breach shall not be counted as a member of the Council in determining whether a quorum exists or whether any relevant resolution is carried or defeated.

28.12 The Council shall give its decision and its reasons in writing and shall provide a copy of the written decision and reasons to the Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee whose

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to proceed with any such proceeding. However, without limiting the discretion of the Executive Committee, in light of the purpose of Article 27, the Code of Conduct and the Agreements, it is anticipated that, in most circumstances, the Executive Committee will refer the matter to the Council.

conduct is the subject of the alleged breach. The decision of the Council is final and binding, and not subject to appeal.

28.13 If the Executive Committee determines not to refer the matter to the Council and, subject to section 28.07, the Executive Committee on behalf of the Council shall consider and determine whether the Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee has breached Article 27, the Code of Conduct, or either of the Agreements, or any one or more of the foregoing, and the appropriate sanction, if any. Sections 28.08, 28.09, 28.10, 28.11 and 28.12 apply mutatis mutandis to the consideration and determination by the Executive Committee under this Article.

28.14 The College will not be responsible for the costs of the Councillor, member of a Committee, officer or individual on a roster of eligible panellists for a Committee whose conduct is subject to an investigation or any aspect of this Article 28.

28.15 Nothing in this Article 28 shall prevent the use of other provisions of the Act, Regulations or By-laws or other legal or equitable remedies in order for the Council to take action in connection with the conduct or actions of a Councillor, a member of a Committee, an officer or an individual on a roster of eligible panellists for a Committee.

29. HONORARY MEMBERS

29.01 An honorary member may use the designation "ECE (Hon)".

29.02 Subject to section 29.05, an honorary membership shall end automatically ten years from the date on which the individual was designated an honorary member.

29.03 An honorary member shall not be required to pay an annual fee to the College.

29.04 An honorary member shall not:

(a) engage in the practice of early childhood education or hold himself or herself out as able to do so;

(b) use the titles "early childhood educator" or "registered early childhood educator" or their French equivalents or, subject to section 29.06, an abbreviation of any of those titles;

(c) be eligible for nomination to the Council or for appointment to a Committee as a member of the College who is not a Councillor; or

(d) be eligible to vote in an election for Councillors.

29.05 The Council may, by a resolution passed by at least two-thirds of the votes cast by those Councillors present at the meeting, cancel the designation of an honorary member if, in the opinion of the Council, the honorary member acts or conducts

himself or herself in a manner that is inconsistent with an honorary member designation.