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ONTARIO REGULATION

made under the

EDUCATION ACT

Amending O. Reg. 399/00

(Class Size)

Note: Ontario Regulation 399/00 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History at www.e-Laws.gov.on.ca.

1. (1) The heading before section 2 of Ontario Regulation 399/00 is revoked and the following substituted:

ELEMENTARY SCHOOL CLASSES — DETERMINATION OF SIZE

(2) Subsection 2 (3.1) of the Regulation is revoked and the following substituted:

(3.1) For the purposes of section 170.1 of the Act, the average size, in the aggregate, of the full day junior kindergarten and kindergarten classes that a board is required under Ontario Regulation 224/10 (Full Day Junior Kindergarten and Kindergarten), made under the Act, to operate in a school year shall be determined as of October 31 in the school year as follows:

1. Identify in Schedule 1 to Ontario Regulation 224/10 the schools of the board in which the board is required to operate full day junior kindergarten and kindergarten classes in the school year.
2. For the schools identified in paragraph 1,

- i. determine the number of pupils enrolled in junior kindergarten and kindergarten classes, and
 - ii. determine the number of junior kindergarten and kindergarten classes in the schools.
3. Divide the number determined under subparagraph 2 i by the number determined under subparagraph 2 ii.

(3) Subsection 2 (3.1) of the Regulation, as remade by subsection (2), is amended by striking out “to operate in a school year shall be determined as of October 31 in the school year” in the portion before paragraph 1 and substituting “to operate shall be determined for each school year as of October 31 in the school year”.

(4) Paragraph 1 of subsection 2 (3.1) of the Regulation, as remade by subsection (2), is amended by striking out “in the school year” at the end.

(5) Paragraph 1 of subsection 2 (3.2) of the Regulation is amended by striking out “paragraph 1” and substituting “subparagraph 2 i”.

(6) Paragraph 2 of subsection 2 (3.2) of the Regulation is amended by striking out “paragraph 2” and substituting “subparagraph 2 ii”.

(7) Subsection 2 (3.3) of the Regulation is revoked and the following substituted:

(3.3) For greater certainty, the rules set out in subsections (3.1) and (3.2) apply only in respect of schools listed in Schedule 1 to Ontario Regulation 224/10 for the school year listed in the Schedule opposite the name of the school and for every subsequent school year.

(8) Subsection 2 (3.3) of the Regulation, as remade by subsection (7), is revoked.

(9) The Table to section 2 of the Regulation is revoked.

2. The Regulation is amended by adding the following section:

ELEMENTARY SCHOOL CLASSES — REQUIREMENTS RESPECTING SIZE

2.1 The average size of the junior kindergarten and kindergarten classes that a board is required under Ontario Regulation 224/10 (Full Day Junior Kindergarten and Kindergarten), made under the Act, to operate shall be 26.

3. The heading before section 3 of the Regulation is revoked and the following substituted:

SECONDARY SCHOOL CLASSES — DETERMINATION OF SIZE

4. (1) Paragraph 2.1 of subsection 4 (3) of the Regulation is revoked and the following substituted:

2.1 The average size, in the aggregate, of the junior kindergarten and kindergarten classes that the board is required under Ontario Regulation 224/10 (Full Day Junior Kindergarten and Kindergarten), made under the Act, to operate in the school year, as determined under section 2.

(2) Paragraph 2.1 of subsection 4 (3) of the Regulation, as remade by subsection (1), is amended by striking out “in the school year”.

(3) Subsection 4 (4) of the Regulation is amended by striking out “for the schools set out in the Table to section 2” and substituting “for the schools in which the board is required under Ontario Regulation 224/10 (Full Day Junior Kindergarten and Kindergarten), made under the Act, to operate full day junior kindergarten and kindergarten classes”.

5. Subsections 1 (2) and (4) and 3(2) of Ontario Regulation 44/10 are revoked.

Commencement

6. (1) Subject to subsection (2), this Regulation comes into force on the later of September 1, 2012 and the day it is filed.

(2) Subsections 1 (3), (4) and (8) and 4 (2) come into force on the later of September 1, 2014 and the day this Regulation is filed.