



REPUBLIC OF KIRIBATI

EARLY CHILDHOOD CARE AND EDUCATION ACT
(NO.4 of 2017)

REGISTRATION AND ADMINISTRATION OF SERVICE PROVIDERS, TEACHERS AND
PREMISES REGULATION
(NO. OF 2020)

PART 1

PRELIMINARY

1. **Short Title**

These Regulations may be cited as Registration and Administration of Service Provider and Premises Regulation 2020.

2. **Objectives and Guiding Principles**

The objectives of these Regulations are to provide for the regulation of registration, administration and operation of approved ECCE and Preschool service providers and premises under the *Early Childhood Care and Education Act 2017*.

3. **Commencement**

These Regulations shall come into force on the date of its publication.

4. **Authorizing Provisions**

These Regulations are made under section 63(1) of the *Early Childhood Care and Education Act 2017*.

5. **Regulations Bind the Republic**

These Regulations bind the Republic.

6. **Definitions**

In these regulations-

‘**Act**’ means the Early Childhood Care and Education Act 2017;

‘**Actively working towards a qualification**’ see regulation 48;

‘**Approved ECCE service**’ has the same meaning under the Act;

‘**Approved Provider**’ has the same meaning under Act;

‘**Approved Premises**’ has the same meaning under Act;

‘**Approved Preschool Services**’ has the same meaning under the Act’

‘**Director**’ same as under s50 of Act;

‘**ECCE Inspector**’- same as under s54 of Act;

‘**Premises**’ is an approved site or setting.

‘**Service Provider**’ means a provider approved under these Regulations to provide child care and education services.

PART 2

DIVISION 1

Applications for Approval of ECCE and Preschool Service Provider by Individuals and Body Corporate

7. Applications for Approvals of ECCE and Preschool Service Providers by individuals

The following information is prescribed for an application for approval of a service provider made by an individual under section 7(1) of the Act-

- (1). the applicants full name and any former or other name the applicant may be known by;
- (2). the applicant residential address and contact details;
- (3). the applicants date and place of birth;
- (4). proof of the applicant's identity (such as an official id);
- (5). a previous service statement made by the applicant showing-
 - (a). the name and type of the proposed ECCE and preschool services (Service Providers),
 - (b). the proposed date on which the Service Providers will commence operations,
 - (c). proposed age of children to be educated and cared for the Service Providers;
 - (d). the proposed maximum number of children to be educated and cared for by the Service Providers,
 - (e). the proposed hours and days of operation of the Service Providers;
 - (f). the full name and contact details including the after-hours telephone number of each supervisor or staffs member of the Service Providers and
 - (g). the statement that the applicant has prepared the policies and procedures in regards to the operation of the ECCE service;
- (6). if held by the applicant, reference showing the applicant previous and current working experience with children;
- (7). an history of medical record check in respect of the applicant issued not more than 3 months before the date of application;
- (8). a criminal history record check in respect of the applicant issued not more than 6 months before the date of the application;
- (9). a criminal history statement made by the applicant in relation to the period after the date on which the criminal history record check in sub regulation (8) was issued to the date of the application;
- (10). if the applicant lived and worked outside Kiribati at any time within the previous 3 years, an overseas criminal history records or statement made by the applicant;
- (11). a disciplinary proceedings statement made by the applicant; and
- (12). and any other information, prescribed or issued as the Director thinks fit.

8. Applications for Approvals of ECCE and Preschool Service Providers by body corporate other than an individual

If there is more than one applicant, the prescribed information must be provided in respect of each applicant under *section 7 (2)* of the Act-

- (1). the applicants name and any trading or other name used by the applicant;

- (2). the applicant's address and postal address or, if there is more than one address, the postal address of the applicant's principal office;
- (3). the name and contact details of the contact person for the purpose of the application;
- (4). documentary evidence of the legal status of the applicant and its constitution;
- (5). for each individual who will be a person with management or control of a Service Provider to be operated by the applicant, and that information set out in regulation 7; and
- (6). the criminal history records of a person that the Director must have regard to stating whether the person-
 - (a). holds a previous and current qualification or working experience with children; and
 - (b). any other matters included in a criminal record check.

DIVISION 2

Additional information on Premises to accompany applications for Service Approval

9. Additional information for Applications for Approval of Premises to accompany applications for approval of Service Providers

The following information is prescribed for an application for the proposed ECCE service or Preschool service premises under section 11 of the Act and in addition to the information required under regulations 7 and 8 are-

- (1). the location and address of the proposed ECCE Services or Preschool service premises;
- (2). plans prepared by a building practitioner of the proposed ECCE service or Preschool premises showing the following;
 - (a). the location of buildings, structures, outdoor play areas and shaded areas;
 - (b). the location of all entries and exits;
 - (c). the location of all fences and gates, specifying the type of fence or gate used or to be used;
 - (d). the location of toilet and washing facilities for ECCE Service and Preschool Service;
 - (e). nappy changing areas for ECCE services;
 - (f). any food preparation areas;
 - (g). boundaries of each premises;
 - (h). the landscape of, or landscaping plans for, outdoor spaces that will be used by the ECCE services or Preschool Services, specifying the natural environment that are or will be provided;
 - (i). calculations, carried out by the building practitioner, of the areas relating to unencumbered indoor and outdoor space; and
 - (j). the elevation plans of the premises.
- (3). If any water hazard is situated on or near the proposed ECCE service or Preschool Service premises, a copy of the service's proposed water safety policy;
- (4). a statement made by the applicant that states to the best of the applicant's knowledge the site does not indicate that it will likely be contaminated in a way that poses an unacceptable risk to the health of children;
- (5). copy of the planning and building permit if the premises is newly built and or extended;
- (6). a statement and any other documents such as lease or rental arrangements showing evidence that the applicant has the right to occupy and use the premises.
- (7). accompanied by certified receipt of payment of the prescribed application fee of \$20.00;
- (8). copy of receipt certified by the Island Education Coordinator for applications made in the Islands or Island Councils;
- (9). copy of receipt certified by Finance for applications made in South Tarawa;

- (10). copy of receipt certified by Finance at the Ministry responsible for the Line and Phoenix group for applications made in the Line and Phoenix Islands;
- (11). copy of the premises plan clearance by MISE for quality and safety assurances.
- (12). lodged to the Director of Education before or by 31st March in the year prior to the commencement of the following academic year; and
- (13). late applications after 31st March will not be assessed for the following year.

DIVISION 3

CERTIFICATE OF REGISTRATION OF APPROVED SERVICE PROVIDERS AND PREMISES

10. Registration of Approved Service Providers and Premises

All approved Service Providers and Premises must be registered.

11. Prescribed information included in the Register

The information on the Register to be provided in the prescribed form includes, but are not limited to the following;

- (1). the names and qualifications of teachers of the approved ECCE services;
- (2). the contact details of the ECCE service, including its location and Island;
- (3). the hours of operation of the services;
- (4). the approved number of places;
- (5). the age groups approved for instructions;
- (6). the Conditions, if any, of the approval;
- (7). the date of the approval; and
- (8). the service approval number if provided; and
- (9). as the Director thinks appropriate.

12. Criteria for Registration

1. The Criteria for registration of approved ECCE and/or Preschool teachers and Premises are as follows;

- (1). the requirements as detailed in the prescribed form;
- (2). a statement from the proposed service provider demonstrating that they fully understand and has the capacity to comply with the conditions of the registration;
- (3). an operational plan for the service that demonstrates the financial viability of the service;
- (4). to complete and comply with the minimum standard requirements for premises and associated equipment's and infrastructure; as detailed in the Schedule of the Act and those detailed in the Kiribati Quality Standards or KQS for ECCE;
- (5). facilities must be adequate and appropriate for the proposed service programs proper and fit for the intended age groups and projected number of children;
- (6). Facilities must be of acceptable standards that will enable the service provider to comply with any regulations prescribing minimum health and safety standards for the premises;
- (7). the year levels and subjects the ECCE or the Preschool service proposed to teach, including transition to full functionality; and
- (8). the maximum number of children that the service will enroll and to comply with the child to teacher ratio as follows;

- (a). 3 year olds 10:1 (maximum), (5:1) minimum
- (b). 4 year olds 15:1 (maximum), (8:1) minimum
- (c). 5 year olds 20:1 (maximum), (10:1) minimum
- (d). for composite or multi-year level is 15:1 maximum 12:1 minimum
- (e). for remote services they will be given special considerations regarding minimum and maximum numbers.

2. The Director may require the provider to supply any further information as considered necessary.

13. Approval for Registration

The Director, if satisfied that the approved ECCE or Preschool Service Provider and premises had met the required criteria for registration, may;

- a. provide a decision within 30 working days, to register such service provider and premises with or without conditions as the Director may impose;
- b. grant a conditional approval with a compliance notice with periods of 30 working days for services on South Tarawa and 60 working days for services in the outer islands or any other permitted period granted by the Director; and
- c. issue a compliance notice to a Service provider, in the case of a teacher who do not meet the minimum standards prescribed in the Schedule, stating that the teacher must meet the required standard prior to the next scheduled inspection.

14. Additional matters to have regard to in determining application for ECCE and Preschool Service Providers

For the purposes of section 13, 14 and 16 of the Act, the following matters are prescribed matters for the Director to have regards to in determining an application for a service provider and premise approval;

- (1). in case of providers, any suspension of the applicant's provider approval; and
- (2). any conditions of the applicant's provider approval.

15. Issuing Certificate of Registration of Approved Service Providers and Premises

For the purposes of section 16, the Director must issue a Certificate of Registration stating the following information;

- a. the name of the Service Provider;
- b. the age groups for which the service is registered to teach;
- c. the maximum number of children permitted to be enrolled at the Service;
- d. the location of the Service;
- e. the issue and expiry date of the Certificate as prescribed under section 16 and 19 of the Act;
- f. the status of registration whether it is approved, conditional approval, or deemed conditions;
- g. that the approval is not transferrable; and
- h. any other prescribed details as the Director thinks appropriate.

16. Circumstances where Duplicate of Certificate can be issued

The Director may reissue a duplicate of the Certificate under this regulation, upon payment of the prescribed fee and if satisfied that the original certificate has been lost or damaged.

17. New Certificate without fees

A new certificate can only be issued without any fee, in circumstances where the issued certificate is required to be amended by regulation during the validity period of approval.

18. A Register of Certificate to be kept

A Register of Certificate of Approved Service Providers and Premises must be kept by the Ministry. The Register shall include the names of all approved Service Providers, the approved premises, the qualified teachers approved to operate the ECCE service and all the preschools anywhere in the Country, of both individual and body corporate nature.

19. The Register is a public document

The Register is a public document to be published on the Ministry website. The Director has the responsibility to maintain and keep an updated record of the Register.

DIVISION 4: PRESCRIBED MATTERS INCLUDED IN CERTIFICATES OF REGISTRATION

20. Prescribed Matters included in Copy of Certificate for Approved ECCE or Preschool Service

In line with Regulation 7(5) (a), a copy of the Approved ECCE or Preschool Services Certificate must state the type of service for which the approved service has been granted.

21. Prescribed Matters included in Copy of Certificate for Approved ECCE and Preschool Services premises

An approved ECCE or Preschool services continuing to be entitled to occupy the approved premises is a prescribed condition.

DIVISION 5 RELOCATION OF EXISTING SERVICE PROVIDERS

22. Application for relocation of existing approved Service Providers (ECCE or Preschool service)-

(1). The location of an existing Service Providers cannot be amended unless an application in the prescribed variation form is made for the change of location. This regulation applies to;

- (a). an application for an existing Service Provider; and
- (b). the purpose of the application is to change the location of that service.

(2). If the Service Provider is to be relocated for less than 12 months, the Director may determine that the requirements of the regulation 9(2)(a) or (g) do not apply to the application for the change of location of the approved service.

(3). If the Service Provider is to be relocated due to exceptional circumstances, whether for more or less than 12 months, the Director may determine that any of the following information is not required to be provided in the application for a change of location of the approved service;

- (a). the information set out in regulation 7(5)(e);
- (b). any of the information set out in 9(2) (3), (4), (5,) or (6).

(4) If the Director makes a determination under sub regulation (3), the approved ECCE or Preschool Service provider must provide the relevant information as required.

(5). A failure by the Approved ECCE or Preschool Service provider to provide the relevant information to the Director under sub regulation (4) does not prevent the Director from granting the relocation of the approved service.

PART 3

GROUND FOR REFUSAL TO GRANT SERVICE APPROVAL

23. For the purposes of section 22 and 23 of the Act, the following grounds for refusing to grant a service approval are prescribed-
- (a). the Director is not satisfied that the applicant is capable of operating the proposed service in a way that meets the requirements of the Act or these Regulations, whether because of financial or management capacity or other reasons.; or
 - (b). the Director is not satisfied that the applicant is entitled to occupy the ECCE premises.
24. The Director, if refuse registration of an ECCE and/or Preschool teachers or premises, must provide a written notice of its decision within 30 working days for services on South Tarawa and 60 working days for services in the outer islands. The written notice must give the reasons for refusing registration.
25. The Register is a public document to be published on the Ministry website. The Director, has the responsibility to maintain and keep an updated record of the Register.
26. The Service Provider or the applicants have right to review the decision in accordance to the formalities as set out under regulation 35.

PART 4

SUSPENSION, VARIATION, AND REVOCATION

DIVISION 1

SUSPENSION OF ECCE SERVICE AND PREMISES APPROVAL

27. The Director, may issue a suspension notice to the Service Provider to suspend the approval and operation of the services and to specify the grounds for suspension as set out under section 24 (1) of the Act.
28. Pursuant to regulation 18, the suspension period expires when the Director is satisfied that the approved Service Provider has complied with the compliance notice based on the inspection report carried out by the ECCE Inspector certifying that the conditions have been met.
29. The prescribed maximum period of suspension of a service approval is 12 months.
30. Provided that the Director has approved the expiry of the suspension period, the service provider may continue the operation of the ECCE and Preschool service and Premises, and the validity of their three-year approval is extended from the date of expiry of the suspension period as prescribed under section 19 of the Act. The Director is required to issue a new certificate to reflect the new expiry date.

DIVISION 2

VARIATION OF ECCE SERVICE AND PREMISES APPROVAL

31. Directed and Requested Variation

Variations of the approved Service providers can either be directed by the Director or issued upon application by the Service provider.

32. Directed Variation

(1). The Director may issue a direction for variation to an approved service provider and premises if satisfied, upon reasonable grounds that the service provider is;

- (a). operating a service or operating in a premises that is different from the approved service and premises; and
- (b). any associated equipment's and infrastructure used is different from the approved equipment's and infrastructures.

(2). In line with regulation 32 and section 28 (3) of the Act, the Director may;

- (a). issue a direction for variation to a Service provider, permitting a variation period of 30 working days to the services operating in South Tarawa or 60 working days to any other applicants or any other permitted period granted by the Director; or
- (b). issue a compliance notice to a Service provider, where they fail to comply with the direction of variation or the variation period permitted by the Director.

33. Requested Variation

Where a variation is requested by the Service Provider, they must;

- (a). apply in the prescribed form for variation; and
- (b). specify the reasons for the variations; and
- (c). pay the prescribed fees for variation.

DIVISION 3

REVOCATION

34. The Director may revoke, by notice of revocation, the approved service and premises if satisfied that the service provider had committed one of the following a, b, c and d of section 33 of the Act.

35. Surrender of Certificates.

(1). The effects of a suspension notice issued under regulation 27 to 30, a notice of variation issued under regulation 31 to 34 and a notice of revocation issued under regulation 35 is to cease operation of the approved service and for the service to surrender their certificate to the Director.

(2). The Director upon receipts of the certificates under regulation 36, may act in accordance to section 34 (2) (a) and (b) of the Act.

DIVISION 4

REVIEW AND APPEALS

36. Procedure for review and appeals

Any aggrieved person or provider may apply for review of the Directors decision in the manner and procedure as provided for under section 35 to 40 (inclusive) of the Act.

PART 5
GOVERNANCE AND ADMINISTRATION REQUIREMENTS

DIVISION 1
SCHOOL COMMITTEE

37. Establishment and functions of the ECCE and Preschool Committee

The service principal provider has the responsibility to establish a school committee at both the ECCE and Preschool service. For the purposes of section 49 of the Act, the school committee shall have the sole function;

- (a). to provide support to the service principal provider and staff members in the performance of their respective roles and functions including financial management of the service;
- (b). assist the service principal provider and staff members in the development of the ECCE and preschool policies and rules;
- (c). work with the service to improve the service attendance and retention rates;
- (d). Coordinate the provisions of voluntary community labor and materials to improve and maintain the service buildings and any associated equipment's and infrastructure;
- (e). assist the Island Education Coordinators in resolving concerns or matters that cannot be resolved at the island community level.

38. Appointments of membership of the ECCE and Preschool Committee

(1). Members of the School Committee must be at least 8 and no more than 10 person appointed by the Service Principal provider.

(2). A member must be;

- (a). be over the age of 18;
- (b). be connected to the service centre through a related child attending the school or service;
- (c). Be a residential community member where the service is located.

(3). Additional membership to the school committee may be;

- (a). a public servant in the community
- (b). a religious leader in the community
- (c). A teacher in the school
- (d). A student representative
- (e). school alumni representative
- (f). Representative of a women's organization
- (g). Representative of Tetoamatoa.

39. Process of appointment of members

The process of appointment of membership may be determined by the Service Principal Provider through a;

- (a). volunteer;
- (b). Consensus appointment
- (c). Election
- (d). Rotation

DIVISION 2

STAFFING ARRANGEMENT

40. Age and supervision requirements

The approved service providers must ensure that any educator or teacher who is under 18 years of age-

- (a). does not work alone at the service; and
- (b). is adequately supervised at all times by an educator or teacher who has attained the age of 18 years.

41. Illness or absence of early childhood teachers

(1). If an early childhood teacher at the service who is required to be in attendance at the service is absent because of short term illness or leave, the following persons may be taken to be an early childhood teacher during the absence;

- (a). a person who holds an approved diploma level education and care qualification; or
- (b). a person who holds a qualification in primary teaching; or
- (c). a suitably qualified person.

(2). An early childhood teacher at a service who is required to be in attendance may be replaced for a maximum of 60 days in any 12-month period.

(3). For the purpose of subsection (2) in relation to a part-time early childhood teacher, 60 days is to be calculated on a pro rata basis.

42. Staff records

The staff records must include the information in relation to a staff member;

- (a). the full name, address and date of birth of the staff member;
- (b). evidence of (a). any relevant qualifications held by the staff member; or (b). if applicable, that the staff member is actively working towards a qualification as required under regulation 15;
- (c). Evidence of any approved training (including first aid training) completed by the staff member;
- (d). A record showing the staff member is a registered teacher under education law and has provided proof of the registration and the expiry period of that registration.

43. Responsible Person

The staff record must include the name of the responsible person at the children service for each time that children are being educated and cared for by the service.

44. Record of early childhood educator or teacher working directly with children

The approved service provider must keep a record of educators or teachers working directly with children including the following information-

- (a). the name of each educator or teacher who works directly with children being educated or cared for by the service; and
- (b). the hours that each educator works directly with children being educated and cared for by the service.

45. Actively working towards a qualification

For the purposes of these regulations; an educator or teacher is actively working towards a qualification if they are-

- (1). enrolled in the course for the qualification; and
- (2). provides the approved provider with documentary evidence from the provider of the course that-
 - (a). the educator has commenced the course; and

- (b). the educator is making satisfactory progress towards completion of the course; and
- (c). the educator is meeting the requirement for maintaining the enrolment; and
- (d). in the case of an approved diploma level education and care qualification, the educator holds –

- (i). an approved certificate III level education and care qualification; or
- (ii). has completed the units of study in an approved certificate III level education and care qualification determined by the Director; or
- (iii). has completed the percentage of total units of study required for completion of an approved early childhood teaching qualification determined by the Director.

DIVISION 3 INFORMATION AND RECORD KEEPING REQUIREMENTS

46. Prescribed information to be displayed at the Service Centre

The following information is prescribed to be displayed in relation to a service provider approval;

- (a). the name of the approved service; and
- (b). the certificate of registration; and
- (c). any conditions on the approved service.

47. Prescribed information to be notified to the Director

The following matters are prescribed information to be notified to the Director including;

- (a). Any changes to the address of the approved service provider or the principal provider office, or the contact details of the approved service provider; and
- (b). The appointment of receivers or liquidators or administrators of the approved service provider or any other matters that affect the financial viability and ongoing operation of the service.

48. Time to notify certain circumstances to Director

(1). For the purpose of the Act and these Regulations, a notice must be provided to the Director of any relevant event in the following time and circumstances;

- (a). within 14 days of the relevant event or within 14 days of the approved service provider becoming aware of the relevant event.
- (b). in the case of the death of a child, as soon as practicable but within 24 hours of the death, or the time that the person becomes aware of the death; or
- (c). in the case of any other serious incident, within 24 hours of the incident or the time that the person becomes aware of the incident; or
- (d). in any other case, within 7 days of the relevant event or within 7 days of the approved service provider becoming aware of the event.

49. Confidentiality and storage of information

The approved service provider must ensure that all information kept in the record under these regulation is not divulged or communicated, directly or indirectly, to another person other than –

- (a). to the extent necessary for the education and care or medical treatment of the child to whom the information relates to; or
- (b). a parent of the child to whom the information is related to, except in the case of information kept in a staff record; or
- ©. The Director authorizes; or
- (d). as expressly authorized, permitted or required to be given under any Act or law; or
- (e). with written consents of the person who provided the information in question.

PART 6
MANAGEMENT OF SERVICES AND OPERATIONAL REQUIREMENTS

DIVISION 1
ENROLMENT AND ATTENDANCE

50. Age of child attending Service

- (1). The age of child attending the approved services are 3 years old to under 6 years old.
- (2). A child turning 3 in January to June in the year of enrolment is eligible for enrolment at the Approved services.
- (3). The Parents of the child are responsible for the enrolment of their child at the approved registered services.

51. Enrolment register

The details to be entered in the enrolment register include;

- (1). name of the child;
- (2). name of the child's parents;
- (3). Date of birth of the child;
- (4). gender;
- (5). home island;
- (6). the address of the child;
- (7). health and immunization records of the child.

52. Maintenance of enrolment register

The maintenance of the enrolment register is the responsibility of the Service Principal Provider or manager.

53. The Register to be available to ECCE Inspectors

For the purposes of inspection under these regulations, the Register must be available on request at all times to the ECCE inspectors.

54. Attendance records

The approved service provider must ensure that a record of attendance is kept that;

- (1). records the full name of each child attending the service on a daily basis; and
- (2). records the date and time each child arrives and departs; and
- (3). is signed by one of the following person at the time that the child arrives and departs-
 - (a). the person who delivers or collects the child to the services premises;
 - (b). by a nominated supervisor, educator or teacher.

DIVISION 2
EDUCATIONAL PROGRAM AND PRACTICE

55. Standard educational program

- (1). This part applies in relation to the standard program that is required to be delivered to a child being educated or cared for by the service provider.
- (2). An educational program is to contribute to the following outcomes for each child;
 - (a). the child will have a strong sense of identity; and

- (b). the child will be strongly connected with and contribute to his or her world;
- (c). the child will have a strong sense of wellbeing;
- (d). the child will be a confident and involved learner; and
- (e). the child will be an effective communicator.

56. Documenting Child Assessment and Evaluations for delivery of educational programs

The approved service provider must ensure that for the purposes of the educational programs, the following are documented;

- (1). For a child at preschool age or under-
 - (a). assessment of the child's developmental needs, interests, experience and participation in the educational program; and
 - (b). assessments of the child progress against the outcomes of the educational program.
- (2). For child over preschool age, evaluations of the child's wellbeing, development and learning.
- (3). In preparing the documentation, the approved service provider must;
 - (a). consider-
 - (i). the period of time that the child is being educated and cared for by the service; and
 - (ii). how the documentation in a way that is readily understandable by the educators and teachers at the service and the parents of the child.

57. Information about educational program to be kept available and be given to parents

The approved service provider must ensure that;

- (1). information about the contents and operation of the educational program for the service are displayed at the premises at a place accessible to parents of the children educated or cared for at the service; and
- (2). a copy of the educational program, or information about the child participation in the educational program, or a copy of documents kept in relation to the child; are readily available to parents on requests at the services premises.

58. Costs of additional educational activities or services

The cost of additional activities or services such as excursions or transports may be recouped from participants.

DIVISION 3 HEALTH, SAFETY AND WELLBEING OF A CHILD

59. Responsibility of Teachers to a child health and wellbeing

- (1). All educators and teachers are responsible for the health and wellbeing of the child attending the service and are required to act as a parent concerning the child safety.
- (2). If a teacher notices the child is suffering physically, emotionally or socially, they must alert the service provider or manager or the parents so steps can be taken to address the situation.
- (3). Repetitive incidents showing suffering of the child will be dealt with by the teacher or principal provider with strategies for management and alleviation of the suffering developed. This process should involve the parents of the child.
- (4). Teachers should keep an updated record of the health of the child.

60. Responsibility of Parents to a child health and wellbeing

- (1). Parents are responsible in reporting to the teacher any food allergies or contagious disease that their child has while attending the service.
- (2). Parents should not send their child to school if they are sick and they should inform the school that the child will remain home until they recover.
- (3). For the purpose of this regulation, the parents who do not comply will be liable to a fine not exceeding \$500 as prescribed under section 45 of the Act.

61. Offences

Any service provider must not;

- (1). Disrespect, degrade, exploit, intimidate or emotionally or physically harm or neglect a child who enrolls and attends the service;
- (2). Harass or use corporal punishments to discipline a child; and
- (3). Any service, teacher or staff member who do not comply with the safety and protection requirements commits an offence and is liable to a fine not exceeding \$1000 as prescribed under section 48 of the Act.

DIVISION 4 THE SERVICE CENTRE ENVIRONMENT

62. National Early Childhood Education Standards- the Kiribati Quality Standards

1. The Director, under section 50 of the Act, is responsible for developing the National Early Childhood Education Standards- the Kiribati Quality Standards that ensure the quality services in the following area;

- (1). Infrastructure and physical setting;
- (2). Health, Hygiene and Habit Formation;
- (3). Play and Learning Materials
- (4). Classroom management;
- (5). Curriculum;
- (6). Learning opportunities;
- (7). Early Childhood Care and Education (ECCE) workforce;
- (8). Interaction and
- (9). Assessment.

2. Any changes to the Early Childhood Education Services- Kiribati Quality Standards must be approved by the Secretary.

3. The ECCE inspectors have the responsibility to report breaches of compliance to the Kiribati Quality Standards to the Director.

63. Compliance with the National Early Childhood Education Standards

All service providers must comply with the national standards applicable for the health and safety guidelines for children attending the services.

64. Compliance Notice to the National Childhood Education Standards

If after an ECCE inspector a compliance notice is issued, the service provider must inform the parents and stakeholders including Island Councils in the island communities about the details of the compliance notice.

65. Closure of Service for Non Compliance

(1). If the service does not comply with such standards, the service may be closed upon the advice and direction of the Director.

(2). Before closing the service under regulation 65(1), the service provider must inform the school committee and the Island councils of the recommendations of the Director to close the school or services.

DIVISION 5

ECCE INSPECTOR AND INSPECTION REPORTING REQUIREMENT

66. Appointment of an ECCE Inspector

An ECCE inspector is hereby appointed under Section 54 of the Act to carry out inspections of the school or services for the purposes of the Act.

67. Role of ECCE Inspector

The ECCE inspector must visit all approved service providers and centers at least once in the 3-year period of their registrations or as the Director requires.

68. Matters to be assessed by ECCE Inspector

The matters to be assessed by the ECCE inspector include;

- (1). compliance with the requirements of the Act in particular Schedule Part II on Minimum standards and requirements for preschool teachers and premises and associated equipment's and infrastructure;
- (2). adherence to the approved Curriculum framework and year level taught at the service;
- (3). on-going monitoring and reviewing of provider's compliance with registration requirements;
- (4). attendance by students enrolled at the service;
- (5). the performance of preschools teachers as assessed through teacher's competency Framework; and
- (6). any other matters the ECCE inspector is tasked to assess by the Director.

69. ECCE Inspector visit without notice

The ECCE inspector may visit the Services or centers without giving notice.

70. Inspection Report

The ECCE inspector shall report to the Director on the result of the inspection and the Director must report decisions based on the inspection results to the Minister.

PART 7

ADVISORY COUNCIL ON EARLY CHILDHOOD EDUCATION

DIVISION 1

71. Establishment of Advisory Council

An Advisory Council on Early Childhood Education is hereby established under section 57 of the Act. The role and functions of the Advisory Council is to advise the Minister on policy issues and other matters concerning the approved services operating under the Act.

72. Composition of the Advisory Council

1. The council shall consist of ten members, not including the Secretary who will be Chair to the council. The members shall be a group representing the broader community and individuals who are

regarded to have high interest, knowledge and commitment to the early childhood care and education in Kiribati.

2. Permanent Members of the Advisory Council

- (a). Secretary to Education as Chair;
- (b). Deputy Secretary;
- (c). Director of Education; and
- (d). Director of Policy, Planning and Development.

3. Any of the seven non-permanent members of the Council, from constituencies should be represented by any of the following;
- (a). The Churches- through a nominated member from CEDAK;
 - (b). Academia;
 - (c). Youth;
 - (d). Women – through a nominated member from a recognized Women Organization
 - (e). Outer Islands – any nominated Mayor from KiLGA;
 - (f). Teachers- through a nomination from the Union;
 - (g). Civil Society including advocates for disability and other disadvantaged groups; and
 - (h). Professional associations advocating for education.

73. Appointment of Members and terms of office

1. The appointment process of members to the Council is through;
- (a). the seven non-permanent members to be appointed by the Minister by an instrument of appointment outlining their terms of appointment, duties and obligations under the Act and these regulations;
 - (b). the members shall hold office for a period of two years. Should a member resign within that period, a replacement is nominated for the remaining period of the tenure;
 - (c). A written nomination from the Minister and a respond from the nominees is required for appointment;
 - (d). during the nomination, their duties and responsibilities will be read to them.
 - (e). after two years in office, a member shall be eligible for reappointment for another two years at the discretion of the Minister.
 - (f). a member requesting to resign before the expiry of terms of office must do so in writing to the Minister.

74. Termination of appointment of Advisory Councils

The Minister may terminate the appointment of a member on the following grounds;

- (a). misbehavior during terms of office; and
- (b). physical or mental incapacity of a member.

75. The rules of procedures of Advisory Councils Meetings

- (1). Meetings of the Council are to be held at least once in every 4 months and a notice of meeting is to be provided to members at least two weeks in advance prior to the meeting date.
- (2). An agenda and relevant documents are to be provided to members at least one week in advance.
- (3). Secretariats are to be nominated by the Secretary of Education who is the Chair of the meeting in accordance with the Terms of References.
- (4). The Secretary will develop the meeting agenda and will consider requests from members where appropriate.
- (5). Business and discussions should be confined to the agenda, unless in exceptional circumstances.

- (5). Decisions will be made by consensus. Where no consensus is reached, the chair will make the final decision where appropriate.
- (6). For meetings to proceed, the quorum number of the Advisory council members required to attend a meeting is 60%.

76. Establishment of sub-committees

1. Sub-committees to the Advisory Councils are established when required for specific tasks and for specific time periods.
2. The main roles of the sub-committees are to report to the Advisory Councils on the tasks assigned to them. The Ministry is required to provide resourcing assistance where required.
3. The membership and terms of references and leadership of the sub-committee are determined by the Advisory Council.

77. Sitting allowances

1. The sitting allowance for members of the Advisory Councils is to be paid in line with the current government policy. Any sub-committees including school committees formed are on voluntary basis.

Dated this 02 day of 09, 2020

7
Honourable Alexander Teabo
Minister for Education

Published for exhibition at the Public Office of Te Beretitenti, this 02 day of 09, 2020

Dr Naomi Biribo
Secretary to Cabinet