

**2005 EDUCATION (COUNCIL ON EARLY S.R.O.14
CHILDHOOD EDUCATION)**

COMMONWEALTH OF DOMINICA
STATUTORY RULES AND ORDERS No.14 OF 2005

ORDER

MADE by the Minister under section 77 (2) of the Education Act 1997 (NO. 11 of 1997).

(Gazetted 14th July , 2005).

- 1. This Order may be cited as the -** Short title.

EDUCATION (COUNCIL ON EARLY CHILDHOOD EDUCATION) ORDER 2005.
- 2. In this Order the Education Act 1997 is referred to as “the Act”.** Interpretation.
11 of 1997.
- 3. (1) The Council on Early Childhood Education established by the Minister under section 77 (1) of the Act shall consist of following members appointed by the Minister as follows:** Membership of the
Council on Early
Childhood
Education.

 - (a)* two members from the Social Centre including the Director or his nominee;
 - (b)* three public officers, one with responsibility for early childhood education, one who is an Education Officer, and another who is an officer from the Welfare Division;
 - (c)* two principals representing Early Childhood Education Facilities that are registered under the Act;
 - (d)* a paediatric Nurse or a Paediatrician;
 - (e)* two members representing an international, regional, or sub-regional Childhood Association or Organisation;
 - (f)* two members representing a local Childhood Association or Organisation;

**2005 EDUCATION (COUNCIL ON EARLY S.R.O.14
CHILDHOOD EDUCATION)**

(g) a member representing the public at large.

(2) Appointments to the Council shall be for a period not exceeding three years but each member shall be eligible for re-appointment.

Chairperson and
Deputy Chairperson.

4. The Council shall appoint a Chairperson and a Deputy Chairperson from among its members.

Temporary
appointment.

5. In the absence of a member without cause for two or more consecutive meetings or in the case of the inability to act of a member, the Minister may, in consultation with the Chairperson, appoint any person from the same group or category which the member represents to act temporarily in place of such member.

Resignation of
members.

6. (1) Any member of the Council, other than the Chairperson, may at any time resign his office by instrument in writing addressed to the Minister and transmitted through the Chairperson, and, such resignation shall take effect from the date of the receipt of such instrument by the Minister.

(2) The Chairperson may at any time resign his office as a member of the Council by instrument in writing addressed to the Minister, and, such resignation shall take effect from the date such instrument is accepted by the by the Minister.

Forfeiture of
membership.

7. Any member of the Council who fails to attend three consecutive meetings without excuse acceptable to the Council shall cease to be a member.

Filling of vacancies.

8. If any vacancy occurs in the membership of the Council such vacancy shall be filled by the appointment of another member who may, subject to this Order hold office for the remainder of the period for which the previous member was appointed, but such appointment shall be made in the same manner and from the same group or category of persons, if any, as the appointment of the previous member.

**2005 EDUCATION (COUNCIL ON EARLY S.R.O. 14
CHILDHOOD EDUCATION)**

9. The names of all members of the Council as first constituted and every change in the membership shall be published in the *Gazette*.

Publication of membership.

10. The Council shall be deemed to be properly constituted for the purpose of this Order notwithstanding any vacancy among its members or any defect in its appointment.

Constitution not affected by vacancy.

11. (1) The Council shall meet at least once every four months for the transaction of business at such places as the Chairperson may determine.

Meetings.

(2) Subject to this Order, the Council may otherwise regulate its own procedure.

12. The Chairperson may at any time call a special meeting of the Council and shall call a special meeting within fourteen days of a requisition for that purpose addressed to him by any five members.

Special meetings.

13. The Chairperson or, in his absence, the Deputy Chairperson shall preside at the meetings of the Council, and in the case of the absence of both the Chairperson and the Deputy Chairperson, the members present and constituting a quorum shall elect a temporary chairperson from among the members present.

Person to preside at meetings.

14. The quorum of the Council at any meeting shall be seven.

Quorum.

15. The decisions of the Council shall be by a majority of votes of the members present and, in addition to an original vote, the Chairperson or any other person presiding at the meeting shall have a casting vote in any case in which the voting is equal.

Decisions.

16. A Council may co-opt persons to attend any of its meetings for the purpose of assisting or advising it with respect to any matter with which it is dealing, but a co-opted person is not entitled to vote and shall not be counted for the purpose of constituting a quorum.

Council may co-opt persons.

2005 EDUCATION (COUNCIL ON EARLY S.R.O.14 CHILDHOOD EDUCATION)

Council may
establish committee.

17. The Council may establish a committee from among its members to deal with any specific matter that may be more effectively dealt with by such a committee and the committee, with the approval of the Chairperson, may co-opt to serve on the committee, any person whose assistance and advice the committee considers necessary for the purpose for which the committee is established.

Minutes.

18. Minutes of the proceeding of the Council shall be kept in proper form.

Functions of the
Council.

19. The functions of the Council are –

- (a) to advise the Minister generally on policies respecting the provision of Early Childhood Education Services in Dominica and without prejudice to the generality of the foregoing to advise the Minister -
 - (i) on standards and requirements for Early Childhood Education Facilities including training and minimum qualification requirements for the staff of those Facilities;
 - (ii) on regulatory issues in the field of early childhood education and development;
 - (iii) on conditions subject to which a permit may be granted under the Act to an Early Childhood Education Facility;
 - (iv) on the maximum number of children who can be admitted to an Early Childhood Education Facility;
 - (v) on any other matter respecting early childhood education that the Minister considers it necessary to obtain the advice of the Council;
- (b) to ensure, in collaboration with the relevant Ministries of Government, that Early Childhood Education Facilities provide early childhood education that is safe, of good quality and appropriate to the needs of children under five years;

**2005 EDUCATION (COUNCIL ON EARLY S.R.O. 14
CHILDHOOD EDUCATION)**

- (c) to deal appropriately with any other matter respecting early childhood education that the Minister considers it necessary to refer to the Council.

20. (1) Prior to advising the Minister on any matter concerning early childhood education, the Council may, where it thinks advisable and with the approval of the Minister –

Council may hold hearing.

- (a) hold a public hearing into the matter;
- (b) appoint one or more members to hold a public hearing into the matter; or
- (c) solicit written memoranda from the public on the matter.

(2) The Minister may require the Council to hold a public hearing respecting any matter affecting early childhood education and when he has so required, the Council may adopt the procedure outlined in subsection (1) which it considers most appropriate.

21. (1) The Minister is not bound to accept the advice of the Council, and where he considers it advisable he may refer a matter back to the Council for reconsideration.

Minister not bound by advice of Council.

(2) Where after reconsideration, pursuant to subsection (1) the Council adheres to the advice it had previously given, the Minister may reject the advice or adopt it either wholly or with such modification, additions or adaptations as he thinks fit.

22. The Chairperson or any member of the Council nominated by the Chairperson may be appointed by the Minister to investigate any complaint respecting an Early Childhood Education Facility or to be a mediator in any matter respecting early childhood education that may be assisted by such mediation.

Investigation or mediation.

**2005 EDUCATION (COUNCIL ON EARLY S.R.O.14
CHILDHOOD EDUCATION)**

No action against
Council.

23. No action lies against the Council or any of its members for anything done in good faith with respect to its functions or powers exercised under this Order.

Made this 21st day of June , 2005.

VINCE HENDERSON
*Minister for Education,
Sports, Youth Affairs
and Human Resource*