

LETTERS OF PERMISSION Qs & As

Question		Answer
General Questions		
1	Under what circumstances must a school board apply for an LOP?	A board must apply for an LOP if it intends to hire an uncertified individual to teach in the classroom in cases where no teacher – that is, a member of the Ontario College of Teachers – has applied for or accepted the teaching position.
2	Why was PPM 147 issued?	PPM 147 is intended to supplement the new Letter of Permission (LOP) regulation by providing school boards with: <ul style="list-style-type: none"> • Information about requirements for submitting an LOP application; • A description of the LOP application process; and • The new LOP application form, which was previously contained in the body of O. Regulation 183/97 (Letters of Permission), which the new LOP regulation has replaced.
3	When does the new LOP regulation come into force?	Ontario Regulation 142/08 comes into force on June 30, 2008. Until that date, school boards must continue to submit applications for Letters of Permission according to the requirements, and using the application form, set out in Ontario Regulation 183/97. School boards must also continue to complete the Letters of Permission Checklist and submit it with their LOP application form until the new regulation comes into force.
4	Was education stakeholder input sought prior to the drafting of the PPM?	Key education stakeholders, including the Ontario Teachers' Federation and its affiliates and the Council of Directors of Education (CODE), were consulted prior to the drafting of the PPM.
5	Under the new LOP regulation, is there a change in the length of time for which an LOP can be granted?	LOPs cannot be granted for a period longer than the one-year (i.e. 12-month) limit set out in the <i>Education Act</i> . However, as of June 30, 2008, LOPs can be granted for a period that extends beyond the end of a school year to accommodate courses that do not conform to the school year calendar.
6	Where is the LOP application form that was formerly in the regulation?	The LOP application form is now provided in PPM 147. Until June 30, 2008, school boards must continue to complete and submit the application form provided in Ontario Regulation 183/97 and the Letters of Permission Checklist when applying for an LOP.
7	Why was the LOP application form removed from the regulation?	The removal of the form is consistent with a general government-wide initiative to remove forms from regulations.

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8	Under the new LOP regulation, do school boards submit the Letters of Permission Checklist with their LOP application forms?	As of June 30, 2008, boards are no longer required to complete and submit the Letters of Permission Checklist. Boards are only required to complete and submit the LOP application form provided in PPM 147.
Legislative Authority		
9	What constitutes proof to the ministry that no teacher has applied for or accepted the teaching position for which the LOP is being requested?	What constitutes proof is the signature of the director of education or secretary of the board or supervisory officer of a school authority on the LOP application form declaring that this requirement of the regulation has been met.
Application Process		
10	Who can submit an application for an LOP?	The director of education or secretary of the board or the supervisory officer of a school authority.
11	What is meant by the "secretary of the board" as one of the individuals who can submit a completed application for an LOP?	The secretary of the board is usually the same as the director of the board. The term used is generally "director and secretary of the board". The wording in the PPM is the same as that in the regulation.
12	Under the new LOP regulation, when can a school board submit an application for an LOP?	As of June 30, 2008, school boards must wait to submit an LOP application until the seventh day after the closing date of the competition for the teaching position for which the LOP is being requested. Boards should ensure that they submit their application prior to the start date of the teaching position.
Advertising Requirements		
13	Under the new LOP regulation, how many advertisements for a teaching position is a school board required to put in place before applying for an LOP?	As of June 30, 2008, school boards are required to place at least one advertisement for the teaching position for which they are requesting an LOP. The one required advertisement must appear in: <ul style="list-style-type: none"> • A provincially circulated daily newspaper for at least three days, and at least one of the three days must be within the last five days of the closing date of the job competition OR • A website approved by the Minister for at least 10 days, and must not be removed until the closing date of the job competition
14	Under the new LOP regulation, are school boards required to submit copies of advertisements to the Ministry as proof that they have fulfilled the advertising requirements?	As of June 30, 2008, school boards must keep copies of the ads on file. The ministry may ask them to provide evidence that they have complied with the requirements.

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15	Under the new LOP regulation, can an LOP be granted in instances where the last day the ad was published is after the close of the competition for the teaching position?	No, as of June 30, 2008, every day that the ad appeared must be within 30 days before the close of the competition for the position.
16	Under the new LOP regulation, if an advertisement is posted on a website, is the posting date of the advertisement counted as one day out of the required 10 days?	As of June 30, 2008, when utilizing web advertising, boards must post their advertisement on a publicly accessible website approved by the Minister for a minimum of 10 days and not remove it before the closing date of the competition for the position. The posting date can count as one of the 10 days.
17	Under the new LOP regulation, does a newspaper or website advertisement have to appear for a certain number of days <i>in a row</i> ?	As of June 30, 2008, when utilizing newspaper advertising, boards must post their advertisement for at least three days, and at least one of those days must be within the five days before the closing date of the competition for the position. The ad does not need to be published three days in a row. When utilizing website advertising, boards must post their advertisement for at least 10 days, and the ad must not be removed before the closing date of the competition for the position. This means that the ad must be posted for at least 10 days in a row. It is common practice for ads to appear on-line for a certain block of time.
18	Under the new LOP regulation, can the closing date of the competition be counted as one of the days that the advertisement appeared in a newspaper or on a website?	Yes, as of June 30, 2008, the closing date of the competition can count as one of the required three days that newspaper ads must be posted or one of the required ten days that website ads must be posted.
Background Checks		
19	Under the new LOP regulation, can a person who does not have a secondary school diploma be granted an LOP?	No, as of June 30, 2008, the individual the board proposes to hire under an LOP must hold an Ontario Secondary School Diploma, a Secondary School Graduation Diploma, a Secondary School Honour Graduation Diploma, or the equivalent.
20	In the new LOP regulation and the PPM, what is meant by "the equivalent" to an Ontario Secondary School Diploma, a Secondary School Graduation Diploma, or a Secondary School Honour Graduation Diploma?	This usually refers to a high school diploma from a jurisdiction other than Ontario.

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21	If someone has an Ontario College of Teachers number, can they be employed under an LOP?	No, an individual with an Ontario College of Teachers number may not be employed under the authority of an LOP. Anyone who is currently, or has ever been, a member of the College cannot be employed under the authority of an LOP. This restriction is set out in O. Regulation 298 (Operation of Schools – General), which is presently in effect, as well as the new LOP regulation, which comes into effect on June 30, 2008.
22	If someone is not in good standing with the Ontario College of Teachers or has an interim certificate of qualification, can they be employed under an LOP?	No, anyone who is currently or has ever been a member of the Ontario College of Teachers cannot be employed under the authority of an LOP. This restriction is set out in O. Regulation 298 (Operation of Schools – General), which is presently in effect, as well as the new LOP regulation, which comes into effect on June 30, 2008.
23	If a school board is planning to hire a new graduate who has not yet received his/her certificate from the Ontario College of Teachers, should the board apply for an LOP?	Yes, if the person is not a member of the Ontario College of Teachers and meets the other requirements set out in the regulation, he/she could be employed under the authority of an LOP.
Starting Date and Duration of Employment		
24	Under the new LOP regulation, when is an LOP effective?	As of June 30, 2008, an LOP is effective as of the start date of the teaching position.
25	Why does PPM 147 state that an LOP cannot be granted for more than one year (i.e. 12 months), but then states that the ministry may grant an LOP for a period that extends beyond the end of a school year?	An LOP cannot be granted for a period that extends beyond one year (i.e. 12 months) because of the limit set in the <i>Education Act</i> . However, as of June 30, 2008, an LOP can be granted for a period that extends beyond the end of a school year in order to accommodate courses that do not conform to the school year calendar. The school year is defined in Regulation 304 under the <i>Education Act</i> as commencing on or after the 1st day of September and ending on or before the 30th day of June. For example, under the new LOP regulation, an LOP could be granted for a period that extends from April 9, 2009, to March 31, 2010.
Board Review		
26	Why are school board staffing committees (or equivalent) asked to regularly review their usage of LOPs?	It is good practice for boards to review their usage of LOPs to ensure that teachers are hired under every possible circumstance.