

November 19, 2020

Mr. Phil Graham,
Assistant Deputy Minister
Regulatory Registry Feedback
c/o Early Years and Child Care Division
Ministry of Education
315 Front Street West, 11th Floor
Toronto ON M7A 0B8
[e] CCEYA_consultation@ontario.ca

Mr. Graham:

Thank you for the opportunity to comment on the Consultation Document Regarding Proposed Regulatory Amendments under the Child Care and Early Years Act, 2014 issued on October 2, 2020.

RisingOaks Early Learning Ontario (hereafter referred to as “RisingOaks”) is a registered charity and has been providing high quality child care in the Waterloo Region for 40 years. We operate eight child care centres + 11 stand-alone before and after school programs and have a licensed capacity of over 1,200 spaces. Most of our programs are co-located within the two English school boards in this region.

Our Mission is to *provide nurturing, play-based early learning to support each child in realizing their potential while giving families peace of mind.* On behalf of our employees, members and parents, we provide the attached feedback on this set of proposed regulations to help shape the regulatory framework for child care in Ontario.

We are happy to discuss and identify implications of the proposed regulatory changes regarding:

- A. Flexibility and responsiveness
- B. Qualification requirements
- C. Administrative/regulatory burden
- D. Health and safety
- E. Regulations requiring clarification of intent
- F. Technical matters

In addition, we are providing preliminary feedback on the three discussion questions:

1. Forest/Outdoor Programs
2. Registry of Unlicensed Child Care Providers
3. Overlapping Age Groups

The Ministry of Education identifies four goals that they wish to enhance with these regulatory changes: increasing flexibility and choice, improving affordability, reducing administrative burden, and enhancing quality. In reflecting on the proposed changes, we believe that the cumulative impact and timing of the changes will not address the needs of children, families, nor licensees and educators who are still responding to the ever changing health and safety guidelines needed during the COVID-19 pandemic.

This also raises a question about the timing of this posting. I, along with many colleagues, had written to you earlier in this consultation period to request that the submission deadline for this posting be extended and was disappointed that no such action was taken. Our focus right now needs to be on the health and safety of the children and our workforce. The introduction of these changes now sends the message that the Ministry has its own plan and is not interested in truly consulting and collaborating with the sector. It appears that the Ministry hopes to push through change when the sector's focus is elsewhere.

While there are some positive steps forward within this regulatory posting, many of the areas – particularly proposals around age grouping, group sizes and ratios, and staff qualifications are very concerning and will have a negative effect on quality. As well, long-standing systemic issues, particularly related to the workforce, remain unaddressed by the proposals and the 5-year review.

There are many unknowns within our sector because of COVID-19. Operating capacity remains low, some centres have not yet reopened across the province, and future closures may further erode confidence in the system. As a result, moving ahead with regulatory reform at this time may be premature.

As you review the feedback provided through this consultation, we urge you to remember that the effects of early learning and care on children is the most important to consider and should therefore be the focus of any cost-benefit analysis.

Last night, I spoke to our Regional Council to oppose a recommendation to close their five directly operated child care centres. I bring this up as many focused on the high cost for the region, as CMSM to operate these centres and noted that 10% of the child care budget is going to fund 1.9% of spaces. What is important is the details. The reason their operating costs are so high is that they provide professional pay and decent working conditions – a full 50 – 75% more than the average afforded by non-profit providers. In addition, they have large, well-designed environments, with a small group size and additional staff (e.g., a room designed for 24 operating with 16 children with 2 RECEs + 1 Assistant). The government should emulate this model. It would ensure the highest quality care for our youngest citizens - at the most pivotal time in their development. Unfortunately, the proposed regulations on group sizes, age groups and ratios would see more children with less staff and puts quality in jeopardy.

In the attached document, we provide our feedback and recommendations in relation to each proposal for your consideration. You have the opportunity to showcase strong leadership and demonstrate that:

- children and families matter,
- that decent work matters,
- that women matter, and
- that early learning matters!

Should you have any questions regarding this submission, please do not hesitate to contact me at 519-894-0581, ext. 102 or via email at lprospero@risingoaks.ca.

Kind regards,

Lori Prospero, CAE
Executive Director

A. Flexibility and Responsiveness

Adding flexible options is a good goal, but not at the cost of quality. As well, many parents have indicated that just because there are more options it doesn't mean there are better choices.

Recommendation:

- Any options to provide flexibility in order to be responsive to community need must maintain or enhance quality.

A.1 Schedule 2: Age Grouping, Ratios, Group Size

This would be an optional approach where child care centre licensees could apply to the ministry to operate a program in accordance with the age groupings, ratios, maximum group sizes and proportion of qualified staff set out under the current Schedule 1 or under the proposed Schedule 2. A similar proposal came forward in 2014 and again in 2016. While this proposal would make Schedule 2 optional, the proposed changes are detrimental to children and the quality of the program. Let us compare:

Age Range of Child	Current - Schedule 1			Proposed/Optional Schedule 2		
	Age Group	Staff to Child Ratio	Max. Group Size	Age Group	Staff to Child Ratio	Max. Group Size
0 to 12 m	Infant	3 to 10	10	Infant/Toddler	1 to 3	12
12 to 18 m	Infant	3 to 10	10	Infant/Toddler	1 to 4	12
18 to 24 m	Toddler	1 to 5	15	Infant/Toddler	1 to 4	12
24 to 30 m	Toddler	1 to 5	15	Preschool	1 to 8	24
30 m to 5 y	Preschool	1 to 8	24	Preschool	1 to 8	24
5 to 6 y	Preschool	1 to 8	24	Kindergarten	1 to 13	26
44 m to 7 y	Kindergarten	1 to 13	26	Kindergarten	1 to 13	26
68 m to 13 y	Primary/ Jr. School Age	1 to 15	30	Primary/ Jr. School Age	1 to 20	20
9 to 13 y	Jr. School Age	1 to 20	20	Jr. School Age	1 to 20	20

The proposed Schedule 2 would allow a combined infant and toddler group of 12 children between the ages of 0 - 12 m or 12 to 18 months. Currently an infant room is capped at 10 children though most operate at 9. As a result, centres would need to renovate their infant classroom to accommodate additional children or would be operating 16% below capacity - both with a financial impact. As well, with a 12 or 18-month pregnancy/parental leave, very few children start child care under 11 months of age. An unintended consequence could be that programs simply drop their current infant spaces and start with the 12 to 18 month program as an Infant/toddler room.

From a quality standpoint, three areas are concerning:

- Children from birth to two years of age would now be in the same group with an increased group size of 12, compared to a group size of 9 (since most centres use a straight 1:3 ratio with a group size of 9 now).
- For children from 24 to 30 months, Schedule 2 would raise their staff to child ratio from 1:5 to 1:8 and their group size from 15 to 24 children
- The Primary/Jr. School-age group is moving from a group of 15 to a group of 20 with no additional staff support.

As we reflect more on the impacts of Schedule 2, the following chart helps to paint a clearer picture of how quality may be eroded, particularly if there is wide spread adoption of Schedule 2.

Age Range of Child	Group Sizes	Number of Staff per Room	% Qualified Staff per Rm	Affordability for Families
0 to 12 m	✘ Larger	✔ More	✔ Higher	✔ Less
12 to 18 m	✘ Larger	No Change	✔ Higher	✘ Greater
18 to 24 m	✔ Smaller	No Change	✔ Higher	✔ Less
24 to 30 m	✘ Larger	No Change	✔ Higher	✘ Greater
30 m to 5 y	✘ No Change	No Change	No Change	No Change
5 to 6 y	Larger	✘ Fewer	✘ Lower	✘ Greater
44 m to 7 y	No Change	No Change	No Change	No Change
68 m to 13 y	✘ Larger	✘ Fewer	No Change	✘ Greater
9 to 13 y	No Change	No Change	No Change	No Change

While Schedule 2 is not all bad news, this clearly shows that more children with fewer staff and higher fees is not likely to be a win-win for anyone – least of all children. Schedule 2 will negatively impact the quality of early care and education; children’s emotional and physical safety and well-being; and the well-being of staff. The staff piece is important. If staff continue to be undervalued and under paid and now are more stressed with more children and fewer staff, burnout – and therefore turnover – will soon be at an all-time high.

Recommendation:

- We respectfully recommend that the Ministry abandon the proposed Schedule 2.

A2: Two Provider Home Child Care Model

As we do not provide home child care, we have chosen not to provide feedback or a recommendation on this section.

A3: Authorized Recreational and Skill Build Programs

It is stated that changes to Section 3.1: Subsection 6(1) regarding Authorized Recreation and Skill Building Programs are intended to address critical shortages in before and after school programs. It proposes to allow specified Authorized Recreational and Skill Building Programs to operate for more than three consecutive hours. The approach would first be launched with select providers as follows, who would be exempt from the requirement to restrict the program to three or fewer consecutive hours a day:

- YMCA
- Boys and Girls Clubs
- Municipal recreation programs
- First Nation entities (on reserve)
- Ontario Federation of Indigenous Friendship Centers

It was further noted that the ministry may consider extending the exemption to additional program providers.

If this change is to address critical shortage of such programs, it's important to look at the current landscape. The CCEYA and Education Act already set out that the school board must provide or partner with a third party provider to offer before and after school programs where there is viability. At least in this region, before and after school programs are not allowed to run a waiting list. In fact, we have some schools where we are providing care before and/or after school for just one child. Since COVID-19 hit, before and after school programs are running at or below 50% capacity. Even before COVID, there was capacity in the system for this age group.

While we agree with the addition of Ontario Federation of Indigenous Friendship Centres to the list, removing the 3-hour limit means that recreation-based programs – some with untrained staff – can now provide both before and after school and operate on PA Days. This may push non-profit operators out of our schools and creates a system where parents have multiple providers with differing policies to adhere to. More importantly it could be detrimental for children if program policies and practices are not at the same level as those required under the CCEYA.

Recommendation:

- Update the list but do not remove the 3-hour rule.

B. Qualifications

The proposed regulatory changes do not support workforce retention, they undervalue the role of Early Childhood Educators.

Recommendation:

- If the Ministry truly wants to address workforce retention, we urge you to dust off the *2018 Growing Together - Ontario's Early Years and Child Care Workforce Strategy* and take action in the five ways forward.

B1: Qualified Employees

The Ministry proposes that in addition to persons who are in good standing with the College of Early Childhood Educators or those otherwise approved by a Director (i.e. ministry employee), the following are considered to be qualified employees for working with children in JK to Grade 7 before and after school or on non-instructional days:

- An employee who has a diploma or degree in child and youth care;
- An employee who has a diploma or degree in recreation and leisure services;
- A member in good standing with the Ontario College of Teachers

This proposal undermines and devalues the role of the Early Childhood Educator. Right now, these additional individuals are listed as qualified only for working with the oldest age group (9 – 13 years). Expanding this to include kindergarten children ignores the provincial vision of a seamless full day of learning for kindergarten children wherein a consistent set of RECEs deliver common curriculum before, during, and after the school day.

My degree is in Recreation and Leisure Studies, so I know first hand the value of this qualification. When we've hired from alternate qualifications in the past – as our 2nd staff in the room, we've seen that these professionals don't understand the CCEYA and our additional licensing requirements. There was more likely to be a disproportionate demand on the RECEs time to manage attendance,

documentation, communication with parents which caused team issues and burn-out. This is concerning if the only staff in the program is from the alternate list as it would have an effect on quality, especially if operating at a satellite location where a full-time, experienced supervisor is not present.

It should be stated that an individual with a OCT certificate is not likely to accept a position in a before and after school program given the much lower wages in most programs.

Recommendations:

- That the Ministry pursue this change for the Primary/Jr School-age and Jr. School-age groups only
- Further, where two or more staff are needed for these programs, that one is an RECE and the other may come from the list of alternate qualifications.

B2. Short-Term Supply Staff

The ministry is proposing to make an amendment to section 54 in O.Reg. 137/15 to deem non-qualified persons to be “qualified employees” for the purpose of backfilling a “qualified employee” who is counted toward the required proportion of qualified employees required in situations where this person is away from work due to illness or vacation for a period of no longer than two weeks.

While it can be challenging to find supply staff, having an unqualified individual back-fill a qualified RECE for up to two weeks would be detrimental to the overall quality of the program and put children at risk – particularly if that RECE was the only qualified person in the program.

This change devalues the RECE designation and the work of the College of Early Childhood Educators. Furthermore, it does not address the root cause of staffing challenges in the early care and education programs – inadequate compensation, benefits and decent work.

Recommendation:

- That the Ministry not pursue qualification changes for supply staff.
- If they are felt necessary, to support rural and northern communities who may have less access to RECEs, consider adjusting the proposal to limit such coverage to no more than three days and require that they have onsite mentoring from the supervisor or designate.

B3. Qualifications Requirements of Child Care Supervisors

The Ministry is proposing to change the experience for child care supervisors from two years of child care experience to two years of experience in general children’s programming.

This change would also affect the overall quality of the system. A brand new grad who has just registered with the College of ECEs but who taught swimming lessons or was an LIT at a summer camp for 2+ years a teen would technically now qualify to be the centre supervisor. This undervalues the important work that the supervisor does to ensure CCEYA requirements are met and the experience they have gained working in child care to be able to effectively coach and mentor their team.

Again, as an executive director who is not an RECE, I think back to when I joined the sector 15 years ago. I did not understand enough about the CCEYA (or rather the DNA) and the inner workings of the child care centre to have stepped into the role of centre supervisor on day one. I have learned so

much from the supervisors of our centres that make me a better executive, but on day one – despite years of experience in children’s programming, I would not have been an effective child care centre supervisor at that time.

The CMSM for Toronto said it best, *“The supervisor is a critical position in the leadership of the staff, professional development, administration, and accountable for adhering to provincial licensing requirements, pedagogy and the delivery of a high quality child care environment. Two years' experience in a licensed child care program is important to support success of the program and workforce. Additionally, maintaining this requirement supports efforts to recognize the importance of the profession”*.

Recommendation:

- That the Ministry not pursue changes to supervisor qualifications.

B4. Resource Teachers

The Ministry proposes to change the term Resource Teacher to Resource Consultant and remove the requirement for Director’s approval for such an employee, allowing the hiring agency to determine which programs of study are appropriate to meet community needs.

Recommendation:

- Proceed with these recommendations; though perhaps also provide a list of recommended post-secondary programs for the Resource Consultant role to ensure some consistency across the provincial system.

C. Administrative and Regulatory Burden

It is always good to identify and remove administrative and regulatory burden within the system, as long as it does not erode quality.

C1. Time Allowance for First Aid Certification

The Ministry proposes that newly hired staff who require first aid training under the CCEYA would have a 3-month period in which to obtain certification as long as a certified first aider is on site at all times.

Recommendation:

- Proceed with this recommendation with a caveat that infant and toddler programs must have at least one educator in the room who is first aid certified, while this new employee is awaiting certification. This recognizes that infants and toddlers are more likely to choke or have other first aid emergencies where time is of the essence.
- Furthermore, it is recommended that the three month time allowance is extended to any employees who were away from work due to a pregnancy/parental leave, leave of absence, and require to update their first aid certification upon returning to work.

C2. Requirements Related to Sanitary Practices and Food Storage, etc.

The Ministry is proposing to remove the requirement for licensees to have sanitary policies and procedures and to ensure food and drinks are stored to maintain nutritive value and prevent contamination as these matters are addressed by public health rules.

We are supportive of this change.

C3. Hiring of Resource Teachers by Licensees

We are supportive of removing this outdated clause.

C4. Schedule 3 Child Care Centres

We are supportive of removing this outdated and unused clause.

C5. Digital Records etc.

The Ministry is proposing to add a provision to that every record, policy, individualized plan, parent handbook, program statement, child registration, copy of agreement, or other document required in the regulations may be created, provided, and stored in an exclusively electronic/digital format. Noting that such digital documents must be available at all times for inspection.

Recommendation:

- That the Ministry proceed with this change and extend it to include any type of documentation that may reasonable be stored and accessible in a digital format (e.g., daily documentation, attendance, etc).
- Further, that the Ministry allow electronic attendance on smart, Wi-Fi or data-enabled devices so long as a backup provision is in place should WiFi or data be unavailable.

C6. Exempting Certain Persons from Offence Declaration/Attestation Requirements

The Ministry is proposing to exempt the following from providing an attestation or offence declaration when visiting the centre to provide consultation, presentations to children, etc. as they are governed by other laws and have such screening requirements in their work.

- active duty first responders (i.e., police, fire, and emergency medical/paramedic professionals),
- professionals governed by the *Regulated Health Professions Act, 1991*, and
- professionals governed by the *Social Work and Social Service Work Act, 1998*

Recommendation:

- That the Ministry proceed with this change, and further extend it to remove this requirement from bus drivers for field trips since they are not responsible for child supervision and children are supervised at all times by the RECEs.
 - If you don't wish to extend this to bus drivers, we recommend that a letter confirming the screening requirements of the agency be sufficient.

C7. First Aid Certification Requirements for Resource Teachers

We support the removal of this outdated and unused clause.

C8. Required Resource Area

The Ministry proposes to remove the requirement for an “integrated child care centre to have a resource room or area in recognition that services are provided in a more integrated and inclusive environment where children are less likely to be removed from the classroom.

Recommendation:

- While the clauses related to “integrated child care centres” may be outdated and removed, the need for a resource room still exists. There are still times one or two children may move to the resource room for a small group activity with a therapist – with parent consent, and for case conferences with families.

C9. Lunches for Children 44 Months and Older

Removing the requirement for a condition on the license to allow JK and older children to bring lunches from home is welcomed. We agree with the stated parameters.

C10. Providing Certain Reports to Program Advisers

The Ministry is proposing to amend the regulation so it sets out that the only circumstance when licensees are required to provide documents issued by public health units and fire departments to program advisers is when the licensee is given an order and documents relating to the enforcement of the order from these entities.

The current requirement for licensees to maintain copies of all reports from the public health unit and fire department would not be affected by this proposal.

We are supportive of this change.

C11. Emergency Contact Information

We are supportive of the removal of duplicate requirements as outlined.

C12. Emergency Telephone Numbers

We are supportive of the recognition a list of emergency telephone numbers is not needed in 911 service areas.

C13. Telephone Service

The Ministry proposes to remove the requirement for a landline telephone for child care centres and home child care.

Recommendation:

- That the Ministry not proceed with this change. While mobile phones are easily accessible, they may not have coverage in remote areas, may not be charged or may not work in severe weather or during a power outage.

C14. Direct Visual Checks of Sleeping Children

The Ministry proposes that direct visual checks (where the staff attends and is physically present beside each child while the child is sleeping and looks for indicators of distress or unusual behaviours; documenting these checks on a regular basis) only be required for children under 24 months (currently required for infant, toddler and preschool).

Recommendation:

- That the Ministry proceed with this change but that it is re-worded to be a requirement for infant and toddler groups (which would apply under both Schedule 1 and 2). Otherwise, under Schedule 1, only some toddlers would require a direct visual check and not others which may be confusing for new or support staff and lead to compliance issues.

C15. Daily Written Record

The Ministry requires that parents be informed of an accident involving direct injury via an accident report and in a later clause that parents be notified of an incident that affects health, safety and well-being and that said notification is documented in the Daily Written Record. The Ministry plans to clarify that incident notifications would exclude incidents already covered by accident reporting requirements.

We are supportive of this change.

C16. Administration of Drugs or Medications

The Ministry is proposing to remove the requirement to have only one person responsible for overseeing the administration of medication in consideration of staff on vacation, etc. Additionally, the ministry is proposing to exempt the following commonly used over-the-counter products from medication administration reporting: sunscreen, lotion, lip balm, insect repellent, hand sanitizer, as well as diaper cream that is not used for acute, symptomatic treatment.

We are supportive of these changes.

D. Health and Safety

Overall, we are supportive of regulatory changes to improve the health, safety and wellbeing for children.

D1. Harmful Substances

We are supportive of expanding the list of harmful objects and substances that must be excluded or out of reach of children.

D2. Medical Officer of Health Directions – Home Child Care Agencies

No comment.

D3. Rabies Inoculation

No comment.

D4. Health Assessments and Immunization

The ministry is proposing to extend immunization and “health assessment” requirements such that they would apply to students on an educational placement and volunteers who regularly attend a child care centre or home child care premises.

Recommendation:

- That the Ministry proceed with this recommendation, but avoid duplication if such assessment are completed by the post-secondary institution.
- For volunteers, except those who volunteer in non-program roles as well as clearly defining what “regular” attendance is.

D5. Safe Arrival and Dismissal Policies and Procedures

The Ministry propose to add a new policy requirement for Safe Arrival and Departure. Despite not being a formal requirement under the CCEYA, the licensing manual has recommended such policies for some time.

Recommendation:

- That the Ministry proceeds with this recommendation, though suggest that it is not overly prescriptive or duplicates other such policies.

D6. Attendance Records and Inspection by Medical Officers of Health

No Comment.

D7. Application of Licensing Standards to “In-home Services” Child Care

No comment.

D8. Allergy Lists in Home Child Care

No comment.

D9. Balconies

No comment.

D10. Prohibited Practices

The Ministry is proposing to extend the application of the prohibited practice provisions so that employees and child care providers shall not permit other individuals (e.g. individuals ordinarily a resident of/or regularly at a home child care premises, resource teachers/consultants, etc.) to commit a prohibited practice.

We are in support of this change, including administrative penalties being levied on individuals who commit such prohibited practices.

D11. Children’s Records

The Ministry is proposing to require licensees to include the name of a parent they believe on reasonable grounds does not have a “legal right of access” to a child in the required children’s records.

Recommendation:

- Should the Ministry proceed with this recommendation, it must be done in a manner that protects the privacy of the family and that has some burden of proof. Licensees should be advised to seek legal counsel or support from police, as needed to seek guidance on such legal rights.

D12. Programs Offering Non-Standard Hours of Care

The Ministry proposes to add new regulations to address extended hours programs. We are in support of these additions.

E. Clarifying Intent of Certain Regulations

E1. Home Child Care Agency Registers

No comment.

E2. Compliance with Health and Safety Standards, Building Code, Fire Code, etc.

The Ministry proposes to amend the regulation to clarify that licensees are required to be in compliance not just at the time of applying for a license, but also after a license has been issued.

The current regulation indicate that the licensee must be in compliance at the time of renewal, so annually. As a result, is this new addition needed and/or will it require any additional evidence?

E3. Break in Employment and Vulnerable Sector Checks

The Ministry is proposing to clarify the requirements regarding the submission of VSCs when a person returns to employment following any type of break in the relationship between the licensee and person such as when a person returns from maternity/parental leave or a prolonged medical leave.

Recommendation:

- The information in the regulatory posting is unclear as to what is actually proposed.
- It is recommended that the Ministry be more clear on what is proposed and to seek input from child care operators prior to moving ahead.

E4. Relevant Factors When Determining the Primary Purpose of a Program

No comment.

F. Technical Matters

Addressing technical matters as a result of these proposed regulatory changes is expected and necessary.

Discussion Question #1: Forest/Outdoor Programs

The ministry is aware of the emerging interest in forest or outdoor child care programs. Thinking about this novel approach to child care, and has requested input on the following:

- What are the benefits of forest/nature programs?
- What could the licensing scheme for a forest/nature child care program look like?

- How would a specialized licensing scheme for forest/nature child care program under the CCEYA support licensees/prospective licensees, children, and parents?
- Compared to centre-based child care, what are the unique health and safety considerations related to the provision of forest/nature programs?

Forest and Nature Schools demonstrate the following benefits:

- Confidence: children have the freedom, time and space to learn and demonstrate independence
- Social skills: children gain increased awareness of the consequences of their actions on peers through team activities such as sharing tools and participating in play
- Communication: language development is prompted by the children's sensory experiences
- Motivation: the woodland tends to fascinate the children and they develop a keenness to participate and the ability to concentrate over longer periods of time
- Physical skills: the development of physical stamina and gross and fine motor skills
- Knowledge and understanding: the children develop an interest in the natural surroundings and respect for the environment

There was not enough time to further explore this proposal, but we are supportive of further exploration and new licensing schemes to support such programs and provide guidance to programs. In doing so, it will be important to recognize that children are capable, competent, curious and rich in potential. Much can be learned from agencies like [Forest School Canada](#) and the world renowned work of Dr. Claire Warden of the [Auchlone Nature Kindergarten](#) in Crief, Scotland.

Discussion Question #2: Registry of Unlicensed Child Care Providers

The government is seeking feedback about how to support the delivery of child care in unlicensed or independent child care programs and propose that the creation of an Unlicensed Child Care Registry could help the government to communicate with such child care providers and provide them with information about pedagogy, health, and safety. A registry could also help parents locate child care providers in their communities.

Creation of such a Registry undermines the licensed child care centre and causes more confusion for parents who will assume that such programs have been “vetted” or are “endorsed” by the government. In addition, such a Registry could open the government up to future liability in the event of a critical injury or death of a child in such a setting.

Recommendations:

- That the Ministry not pursue this Registry.
- That the Ministry encourage more unlicensed providers to become licensed directly or through a home child care agency; or better yet to require that anyone providing early learning and child care as defined by the Act must be licensed.
- Despite opposing such a Registry, should the Ministry decide to proceed, the following are our recommendations:
 - What are the considerations around the development of a publicly-accessible registry of unlicensed child care providers in Ontario?

- Which entity should be responsible for establishing and maintaining the registry?
 - Ministry of Education, Child Care and Early Years Division
- What potential eligibility requirements could be set out for a person to be included on the registry?
 - Standard First Aid
 - Vulnerable Sector Check
 - Home inspection by a licensing agency to assess suitability of the environment
 - References
- What information would be helpful for the public to access on the registry?
 - Years of experience in providing unlicensed child care
 - Education
 - Explanation that it is unrelated and unlicensed. That the government assumes no responsibility for the quality or safety of the program or the children in it
 - Questions to ask potential providers
 - Complaints process
- If a registry of unlicensed child care providers is established, what support, information, resources, etc. could be provided to those on the registry by the government to support quality, health and safety, etc.?
 - If the government is going to provide this additional support, why not require them to become licensed.

Discussion Question #3: Overlapping Age Boundaries for Licensed Age Groups/Categories

The ministry is seeking input on a potential, future approach to age grouping in child care centres which would set out *overlapping age boundaries* for all age groupings. For instance (as an example and for discussion purposes only), age groupings could be set out as the following:

Infant (band: 18 months)	0-18 mos
Toddler (band: 24 months)	12 – 36 mos
Preschool* (band: 42 months)	30 – 72 mos
Kindergarten* (band: 40 months)	44 to 84 mos
Primary/Junior School Age* (band: 88 months)	68 - 156 mos
Junior School Age* (band: 48 months)	108 -156 mos

*same as current requirements

The current overlapping of age groups starts at preschool and acknowledges that in Ontario, JK and SK are optional school programs and as such, a child may remain in preschool and then transition straight into Grade 1.

While adding overlapping to infant and toddler age groups may support children with developmental delays, it could erode quality if centres moved to having a toddler group of 1 year to 3 years, for example.

Recommendations:

- More discussion is needed to provide additional feedback and/or recommendations. Given the COVID-19 pandemic and the additional requirement and policy work required, we did not have enough time to adequately respond to this proposal.

Conclusion

In summary, we support many of the proposed changes, but have concerns about key changes that will affect quality and ultimately lead to an increase in parent fees and degrade the profession.

We respectfully recommend that the Ministry abandon proposed regulations – particularly those regarding age groupings, ratios and group sizes – and instead move forward with a renewed focus and priority on developing a comprehensive evidence-based policy process towards building a national high quality, integrated, equitable, universal early childhood education and care system with adequate funding to ensure success. With federal support, now is the time to finally address the patchwork system, or lack thereof, that continues to pit child care fees against ECE wages.

In addition, the CCEYA review and this regulatory posting miss the mark on advancing diversity, equity and inclusion that could address anti-racism and the need for culturally relevant programs for Black, Indigenous and People of Colour, as well as members of the LGBTQ+ community.