

**City of Toronto Response to Legislative and Regulatory
Changes affecting Child Care in Ontario**

February 28, 2014

(Draft pending City Council Approval)

Introduction

This report contains the City of Toronto's response to Bill 143, the *Child Care Modernization Act*, and proposed regulatory changes to regulation 262 under the Day Nurseries Act (DNA). This response has been informed by community partners in Toronto.

The legislative work forms a comprehensive and ambitious plan to improve the early years system in the province. It is an exciting time for children and families in Ontario and for stakeholders in the sector. The City of Toronto is pleased to be a partner in this work and appreciates the forward direction in which the Province is taking the system. With the introduction of Full Day Kindergarten, the Province significantly increased access for all of Ontario's four and five year olds to early learning and care opportunities. Now, with the introduction of the modernization legislation, there is an opportunity to make significant and long-lasting change. The City applauds the province for this significant initiative.

Nevertheless, the proposed interim regulatory changes significantly impact program quality and may be occurring too early. We propose that changes to regulations be made after the passing of the Child Care and Early Years Act. Further study is needed regarding the impacts of proposed regulatory changes on quality and on the financial viability of child care centres. The common theme heard throughout the consultations is that while a number of the changes are needed, the timing of the regulatory changes is not ideal.

The Province and CMSM/DSSABs have made significant progress in stabilizing the child care system as Full-Day Kindergarten has gone through the five year implementation process. The adoption of new regulations does not appear to be as critical or urgent as the passing of new legislation, which would set the stage for the development of all supporting regulatory revisions. Regulatory changes should be developed in partnership with stakeholders and informed by current research, practice and data, with the focus on enhancing the system to respond to the changing landscape. This approach would ensure that changes are rational, effective, and progressive and that they support positive outcomes for children and families.

The recommendations in this report relating to both the Bill and the regulations indicate areas of support and areas where more time is needed to analyze the impacts of these changes. They strive to keep children's health and safety, the critical role of professional RECEs and the importance of program quality front and centre in the discussion of how to modernize child care in Ontario.

Purpose and Process

The Ministry of Education is seeking public comment on Bill 143, the Child Care Modernization Act and the amendments to Regulation 262 under the DNA. The City of Toronto is taking this opportunity to respond to both.

Bill 143 was carried at its first reading at the Legislative Assembly on December 3, 2013. The proposed regulatory changes are being sought under the Province's existing authority and have been identified as interim. These regulatory changes can proceed regardless of whether Bill 143 is passed into law. The Province is seeking feedback from its partners and the public on the proposed changes and it is the City's hope that the Province will consider and act on the advice in this response, as it did with responses to the 2012 discussion paper.

As with the response provided to the 2012 paper, the City of Toronto has sought input from the child care community and its partners to assist in providing an informed response to the regulatory changes. In order to address the unique opinions of the Aboriginal and Francophone communities, advice was also sought through their existing networks. This document will be submitted to and considered by Toronto City Council in April 2014.

Both proposals have been reviewed against key principles that guide the planning and management of the early learning and care system in Toronto as outlined in the Children's Services Service Plan. These principles include the following:

- All children are entitled to high quality child care that includes the aspects of health and safety and developmental benefits.
- Registered Early Childhood Educators (RECEs) are the conduit to high quality programming

Response: Bill 143, Child Care Modernization Act

Summary of Recommendations: The broad directions of the legislation are largely supported. The role of service system manager is strengthened but could still benefit from additional tools and authorities. Adding new programs for children in grades one and up is an important next step for the early years system. At the same time, more support is needed in the legislative framework for children with special needs. The Province should remove the proposal to allow 12 children in a single home for both program quality and health and safety reasons.

Overall, the new legislation is much-needed. It better reflects the current system and sets the foundation for the new early learning system of integrated services for young children and their families. The City supports a number of these changes, especially the efforts that have been taken to strengthen the role of the service system manager and improve partnerships with sector stakeholders. In particular, the following highlights are supported:

- Requiring service system managers to plan for the delivery of a continuum of child care and early years programs and services
- Requiring Council-approved service plans and school board cooperation in developing and implementing plans.
- Allowing a child care license to be refused under a number of conditions, including advice provided by the service system manager to the Province.
- Expanding powers and duties for provincial inspectors, including applying fines and ability to cease the operation of unregulated home child care.
- Extending "duty to report" to persons who, in the course of employment, suspect imminent threat to a child's health and safety.

The latter point will require training for those municipal staff that enter premises in their regular course of business to ensure understanding of the legislation and their responsibilities under it. More specific comments for some of these areas have been informed through consultation and are presented in this response.

Service System Management

The Province has responded to the municipalities' requests to articulate and solidify the role that municipalities play in planning and managing the early years system. While the Province has provided good direction, the City recommends that the reference to "system" not be dropped from "service system manager". In order to influence and move towards a stronger integrated system, the reference to municipalities as systems managers should remain in the new legislation. By referring to "service system manager" as opposed to "service manager", the legislation would take a holistic view of early years system and ensure that partners work horizontally to improve system coordination and integration. Municipalities require the tools to fulfill the ministry's requirement to integrate the broad early learning system and to set local policy to address local needs. In Bill 143, service managers are required to engage and cooperate with other entities, including school boards, in the development of their Service Plans. It is encouraging that the Minister of Education's letter to Municipal Child Care and Early Years Partners, dated December 5, 2013, refers to a "service system manager".

With respect to cooperation with school boards, there is an ongoing need for system managers and boards to work more effectively with other programs, especially in sharing space and resources with child care operators. The City anticipates that the need for this cooperation will continue to be reflected in provincial policy and communications.

Bill 143 has provided important language to strengthen the role of the service system manager. It is important that the Province provide some guidelines as to which programs and services it includes in its vision of the early years system. To improve its ability to manage the early years system as Bill 143 requires, the City of Toronto is repeating its call to consolidate data collection functions that are currently managed by a nonprofit agency (i.e. Data Analysis Coordinators or DACs) with the municipality. Service system management of the early years system should also include the ability to fulfill this role in relation to Ontario Early Years Centres. The request related to DACs was first made in the City's response to Modernizing Child Care in Ontario and would help to strengthen local data collection and decision-making for city-wide planning purposes.

Recommendation 1: Continue to strengthen the ability of service system managers to make local policy and planning decisions by providing the tools (including DACs) and authorities required to manage at a system level.

Education Act Changes

The community is pleased to see that the next step in achieving the vision for an early learning system that includes extended day programs for older children (grades one and up) is being advanced. School-age programs should occur in the schools. There are real needs for these programs as large cohorts of four and five year olds age out of Full-Day Kindergarten but continue to need after-school care. At the same time, there are some concerns similar to those that exist with FDK extended day programs for four and five year olds. Specifically, many families need the program to be available all year and on non-instructional days for it to be useful. In addition, the survey process currently employed to measure demand for the extended day program associated with FDK has proven to be flawed. Municipal service managers can help identify areas where there would be demand based on the number of children enrolled in licensed child care in the school or at centres escorting to the school. The Province is encouraged to give authority to service system managers to work with school boards in proactively establishing where these programs operate.

We also know from our experience with FDK that this change would have impacts on community child care operators. If passed, the implementation of these new programs must be accompanied by a significant transition and stabilization plan with accompanying resources.

Finally, the Aboriginal community has indicated that there may be a need for a slightly different model to support culturally appropriate programming outside of schools for this community. Children's Services supports this feedback and will be addressing the Aboriginal community's unique needs in the Division's next Service Plan.

Recommendation 2: Continue to support programs in schools for older children, making process improvements learned from FDK implementation and ensuring that resources are available to support community-based child care as we focus care on younger age groups.

Home Child Care

With respect to home child care, one of the proposed changes has caused significant concern. Many stakeholders in Toronto are strongly against allowing two providers to care for up to 12 children in a single home, where the existing regulations allow for only five. The sheer number of children presents an unsafe situation, especially in regard to evacuations during a fire or other emergency. In addition, many homes and apartments do not have suitable space. A group of 12 children is large enough that it should have access to the trained staff and health and safety requirements of centre-based care. There are also concerns with allowing six children in a licensed home child care setting, however, many homes in Toronto are thought to be operating below the current cap of five and are not likely to service this number of children.

In Toronto the average number of subsidized children enrolled with a home child care provider is 3.

More should be done to ensure the greatest access possible to licensed home child care settings. We reiterate our position in our response to Modernizing Child Care in Ontario that forms recommendation 3 below:

Recommendation 3: Specifically for home child care, DNA changes could include allowing providers to take more than five children only if they are all above 3.8 years and only need before- and after-school care.

Children's Services supports this position, provided that there is no access to an FDK before- and after school program in the school.

Recommendation 4: Toronto partners are concerned for the health and safety of both children and caregivers and have been clear that allowing two persons to care for a group of 12 children in a single home setting is not endorsed.

Special Needs

For many years the child care community and service providers supporting children with special needs have asked the Province to review its definition of special needs. What is most alarming in the proposed legislation is the absence of any definition or reference to children who have extra support needs.

Children with special needs require more support in the legislative and regulatory framework. Given the mandate for service system managers to spend 4.1 per cent of their provincial allocation on special needs resourcing, a direction that Children's Services strongly supports, there should be a strong expectation of what kinds of programs and services should be available.

Recommendation 5: All children regardless of their abilities should have access to the same early childhood experiences. Some children rely on legislation to ensure that happens. Recognition of the needs and supports required for children should be reflected in the legislation.

Ontario Education Numbers

The City supports Provincial extension of Ontario Education numbers to children in licensed child care as an aid to data collection and system improvement. The City of Toronto is interested in implementing a pilot project to assess how these numbers can be used.

Recommendation 6: Ontario Education Numbers would help the licensed child care sector plan and improve its services, and Toronto is eager to explore with the Province a partnership in this initiative on a pilot project basis.

Overall, the City endorses the direction of the majority of the legislation, with the expectations noted above.

Response: Regulation 262 under the Day Nurseries Act; Early Childhood Educators Act

Summary of Recommendations:

The regulations proposed under the Program Quality section are reflective of a pedagogy and curriculum supported by ELECT principles. Health and Safety directions are also supported, though it should be recognized that organizations will need time to implement these and that there could be additional costs for operators and employees.

At the same time, the proposals under access and equity, specifically as they relate to age groupings, group sizes, ratios and staff qualifications, are premature and in need of further research and consultation. This additional time is needed to ensure that changes do not negatively impact program quality.

In general, multi-age groupings are not needed in Toronto. They may, however, be models that could help Aboriginal child care providers operate supportive and culturally appropriate programs, and the City supports the multi-age model in this regard. Splitting the existing school-age group into younger and older school age is a change that the City supports.

The regulatory changes address three priority areas identified by the Province: program quality; access and equity; and health and safety. It is difficult to organize all the elements of the regulation under such broad headings, especially because all areas are integral to how quality is defined in child care.

Reviewing these regulatory changes against the need for quality and the integral role of the registered early childhood educator leads to the conclusion that these proposals may not support effective pedagogy. For these reasons, the City of Toronto recommends that any decision on regulatory changes be delayed until more research, analysis and consultation has been completed.

Recommendations contained in this section of the report are to be considered by the Province as it works to reform the regulations.

Recommendation 7: The regulatory changes as presented are premature; implementation of regulatory changes should be delayed pending further research and consultation.

Program Quality

"Quality is a multi-dimensional construct that includes the richness of the environment, the availability of toys, learning materials and physical space, and more, but especially includes the supportive character of the interactions between caregivers and children."

Commercial, Nonprofit and Municipal Child Care in the City of Toronto, Dr. Gordon

Proposed Amendments from Province:

- To develop a provincial policy statement to guide program content and educator practice, which would be connected to the child care licensing framework in the future.

Complementary amendments may include:

- Replacing the requirement to have a program of activities with a requirement to have a program that focuses on positive, responsive interactions; incorporates active exploration, play and inquiry; provides engaging materials/environments; and supports development in a holistic manner.
- Replacing the requirement to have a posted daily program plan with a requirement to communicate with parents on a regular and ongoing basis about what their children are experiencing related to active exploration, play and inquiry both indoors and outdoors.
- Simplifying the requirements for outdoor play (maintaining a minimum requirement) and providing more flexibility related to rest time to enable educators to use professional discretion to be responsive to the children in their care, and to support children's developing ability to self-regulate.
- Replacing the qualification requirements for Home Visitors in home-based settings provided by licensed private-home day care agencies, to hold a diploma in early childhood education and be registered with the CECE. Existing staff who do not have an ECE could be grandparented.

From "Proposed Changes to Regulation 262 under the DNA", Ontario Regulatory Registry

Quality in child care is a priority in the City of Toronto. Significant investment has been made in the development and validation of Toronto's Early Learning and Care Assessment for Quality Improvement. Due to these investments, quality ratings across the majority of child care centres are high, demonstrating a high degree of knowledge and practice of pedagogy. The quality measurement has

supported and adopted the use of *Early Learning for Every Child Today (ELECT)* as a framework to guide quality practice. The continued use of ELECT principles in the development of a provincial policy statement is welcomed. In Toronto, building continuity among the diverse range of early years settings will help advance the system's development.

The qualification requirements proposed for home visitors in home-based settings in the regulations were thought to be sensible and reflective of current practice in many agencies.

Recommendation 8: The proposed changes to program requirements continue to be reflective of a pedagogy and curriculum supported by ELECT principles.

Access and Flexibility

The proposed regulations outline alternative age groups and child to staff ratios using existing infrastructure (meaning there are no plans to alter the required space per child or to make other fundamental changes to the existing physical space requirements for particular age groups).

These changes have been proposed to ease entry to licensed child care, meet the developmental needs of children, and reduce costs to families and the subsidy system.

The impacts of group sizes and ratios of children to caregivers are known to be immensely important to quality in care. The ability to provide rich, intentional and meaningful interactions is a key contributor to positive child outcomes. The bundle and cumulative impact of the regulatory proposals runs contrary to what we know about the impact of low ratios.

Indicators relating to learning and well-being environments, such as child-staff ratio and staff quality, affect children's learning outcomes.

Education Indicators in Focus
OECD, February 2013

The City recognizes the need to increase access to and affordability of child care for families. With the introduction of a new provincial funding framework, municipalities are being provided with the opportunity to balance access and affordability in a way that best meets local needs. Toronto has adopted principles that will guide the development of a Toronto funding model that specifically addresses the need to balance parent accessibility and affordability while advancing quality.

With the introduction of new child care models the Ministry has made an effort to respond to the community's request for more flexibility by providing choice in how operators configure age groupings within their centres. They have also provided choice by permitting use of either the new models or the existing age groupings, staff to child ratios, and group sizes currently set out in Regulation 262. What

has concerned the community is that, in some cases, the proposed models have introduced ratios, group sizes and staff qualification requirements that are inferior to those recommended by current practice and research. Tables 1 and 2 outline the proposed models and current standards. The provincial proposals largely maintain existing requirements but change age groupings. Given findings from research on quality child care, this seemingly small change would have a profound impact on quality, if not accompanied by adjustments to group size, ratio and number of qualified staff requirements.

"Research has found that increased proportions of ECE- qualified staff and better compensation for teachers are, along with other factors, associated with higher quality services."¹

Commercial, Nonprofit and Municipal Child Care in the City of Toronto, Dr. Gordon Cleveland

The case for maintaining program quality through group sizes and staff ratios and qualifications has a robust research base. In 2000, research from the "You Bet I Care" project, that looked at quality in child care centres across Canada, was released. While Ontario was included in the study, The City of Toronto was not part of the Province's database. (The fact that Toronto had a quality assessment tool was seen as potentially skewing the results). This study concluded that the majority of child care centres in Canada were providing "minimal to mediocre" care, indicating that regulatory changes should be intended to improve the quality in licensed child care. In a recent Organization for Economic Cooperation and Development report, the organization indicated that, "A large body of research has found that the lower the child-staff ratio is, the better the children perform in cognitive (mathematics and science) and linguistic (language, reading and word recognition) assessments."¹

¹ <http://www.oecd.org/edu/EDIF11.pdf>

Table 1: Current and Proposed Ratios, Group Size and Qualified Staff

Age Group		Employee to Child Ratio		Maximum Group Size		Number of Employees Required with Maximum Group Size	
proposed	current	proposed	current	proposed	current	proposed	current
0-1 years	0- 1 ½ yrs	1:3	1:3.3	10	10	3 (minimum 1 of 3 staff is a registered ECE)	3 (minimum 1 of 3 staff is a registered ECE)
1-2 years	1 ½ - 2 ½ yrs	1:5	1:5	15	15	3 (minimum 1 of 3 staff is a registered ECE)	3 (minimum 1 of 3 staff is a registered ECE)
2-4 years	2 ½ - 6 yrs	1:8	1:5	16	16	2 (minimum 1 of 2 staff is a registered ECE)	2 (minimum 1 of 2 staff is a registered ECE)
				24	24	3 (minimum 2 of 3 staff are registered ECEs)	3 (minimum 2 of 3 staff are registered ECEs)
4-5 years		1:13	1:10 1:12	26	20 24	2 (minimum 1 of 2 staff is a registered ECE)	2 (minimum 1 of 2 staff is a registered ECE)

Based on the validation of Toronto's Operating Criteria (now Early Learning and Care Quality Assessment), we also know that many child care centres in Toronto are delivering very high quality programs under the current regulatory framework

Based on review and community feedback, the proposed model with the zero to one year old age group has potential to reduce the number of infant spaces available to parents as operators may opt out of providing service for this age group. We know that infants need care prior to the age of one. According to an analysis of the Children's Services waitlist, in Toronto the average age of desired placement for infants is 9.3 months. Of all infants, 50% requested a start date before 10 months of age (only 25% of these were actually placed by this time). For infants where the application is made before the child is 4 months old, 25% request a start date immediately after birth, and 50% request a start date by seven months of age. This is important because it shows that given appropriate access, the average age of entry into child care is likely to be substantially lower than the average age of entry is today in this category. Placement issues relate more to a lack of physical space than to the availability of fee subsidy.

At the same time, it is difficult for an individual operator to find enough children under the age of one to fill a room on a consistent basis and, as a result, to be financially viable. Therefore, providing the age grouping of zero to one could further reduce access for families who need infant care. Additionally, were this group to exist, infants would be in the zero to one room for a very short time before moving to the next age group at an age where it is preferable to minimize the number of transitions. This age group, if enacted, would require four staff - three is not enough for this number of very young children. The impact of introducing flexibility by reducing ratios from four to three at beginning or end of the day and during nap times could be explored.

The community has also raised important points related to the proposed models for slightly older children. A group of 15 one to two year olds is thought to be too large. Also for this group, the 1:5 ratio currently works for children older than 18 months, but there is uncertainty that it can work for those as young as 12 months. The City of Toronto only purchases toddler rooms of ten children, reflecting that a group size of 15 for this age group (and for those as young as one year old in the proposed model) is too large.

For the next oldest age group, some operators expressed concern that the developmental needs of children in the two to four age group are too varied.

The community has largely supported the 1:13 ratio for four and five year olds to align with Full-Day Kindergarten but this age group should employ two trained staff – there is no reason that children of this age should benefit from two trained staff during the school day, but not in the before- and after-school periods. This ratio should apply only to operators in schools providing FDK before- and after-school programs.

More importantly, there should be an expectation that four and five year olds are taking advantage of the early learning opportunity provided by Full-Day Kindergarten, thereby freeing up child care resources for younger children.

A number of experts from Toronto-area colleges and universities have communicated that some of the changes are problematic and that the Province should delay implementing these changes pending further research and consultation. For example, The Atkinson Centre for Society and Child Development at the University of Toronto has indicated that the proposed model is concerning from a quality perspective, especially for younger age groups.

Recommendation 9: The ability to operate a program of four and five year olds with a 1 : 13 adult to child ratio must be available only to programs providing full day kindergarten before and after school care and not to stand alone child care programs outside of school. This is a much needed step in transitioning the child care system to younger care.

Recommendation 10: Proposed changes should be reviewed and revised. Group sizes and number of RECEs should better address the needs of the current system and expectations of families. Professionals, researchers and parents alike know the benefit of small group instruction. The Province is encouraged to reflect this in the proposed changes.

Recommendation 11: The current number of qualified staff per maximum group size should be revised from the current 1947 configurations. There is a need to reflect the ECE profession and College of ECEs by recognizing the value of a well trained workforce on positive child outcomes.

Proposed Amendment: Multi-Aged Groupings

In addition to the current age groupings outlined in Table 1, the government is proposing that an alternative to the current requirements for children under four years of age be developed that would support greater access to licensed child care across the province. The multi-age grouping models propose that within one room, children aged zero to four are combined with mixed ratios and group sizes. Table 2 below illustrates the two proposed models. Note that each model relates to a single room.

Table 2: Multi-age groupings

Age Group	Employee to Child Ratio	Maximum Group Size	Number of Employees Required with Maximum Group Size
Model 1 0-2 years 2-4 years	1:4 1:6	Max. total = 20 (No more than 8 children under 2 years of age)	4 employees (minimum 2 registered ECEs)
Model 2 0-1 years 1-2 years 2-4 years	1.3 staff to 3 children 1.3 staff to 5 children 1.3 staff to 8 children	(max 3) (max 5) (max 8) Max. total = 16	4 employees (minimum 2 registered ECEs)

The mixed age group models generated substantial discussion in the City's consultations. Overall, operators were not optimistic that the mixed age groupings would be used as they appear to be difficult to administer and expensive for families. Some operators were unsure how mixed age group room could be equipped to care for such a variety of ages and stages of development, how daily schedules would be planned to meet the needs of all children in the group, and how per diems would be set. Parents who normally see a decrease in fees as their children grow older would not see this but rather would have to pay a higher rate. Some health and safety concerns regarding evacuating younger children in these groups in emergency situations were also identified.

The positive aspect of a multi-age grouping is that children might have more consistent and stable relationships with staff during their time in the child care program. While we cannot support the new models as proposed, this aspect would be worth further consideration in the future. Toronto needs more licensed child care; not the ability to have small multi aged groupings. While there may be benefits to communities who have lower child populations, this is not the case in Toronto. Municipalities must be able to decide on the appropriateness of multi-age group models based on their local needs and demographics.

Recommendation 12: Multi age groupings should be available in rural and remote areas and not urban areas. Toronto will not support these models. As this configuration is more expensive, it has a greater draw on the subsidies available to the community and as such should be carefully considered by Service System Managers.

Aboriginal service providers have indicated that the mixed age group models could be very effective in supporting their unique needs by making available opportunities for a shared caregiver role and sibling mentorship. However, the physical space does not currently exist to support this arrangement in Toronto.

Recommendation 13: Multi-aged groupings should be made available as an option for aboriginal communities and service providers. This is seen as a mechanism to provide access to cultural appropriate experiences for smaller populations.

Table 3: Responding to the Needs of Older Children in Licensed Care

Age Group		Employee to Child Ratio		Maximum Group Size		Number of Employees Required with Maximum Group Size	
proposed	current	proposed	current	proposed	current	proposed	current
6 – 8 yrs	6- 12 yrs	1:15	1:15	30	30	2 (minimum 1 qualified staff)	2 (minimum 1 registered ECE)
9 – 12 yrs		1:20		20		1 (1 qualified staff)	

The City of Toronto has been considering and reporting on the after-school needs of children aged 6 to 12 years for the last decade. Most recently, Toronto City Council adopted the Middle Childhood Strategy implementation plan, *A Time for Action*. The plan calls for regulatory changes to the current Day Nurseries Act that will better meet the needs of school-age children. The City of Toronto’s stakeholder group is supporting the implementation plan and has provided considerable thought to the kinds of changes needed for this age group. The proposed model for older children is a good first step; however, it is important to remember the impact that group sizes and ratios have on quality. As with the

younger age groups, there is a need to look at best practices across the spectrum of programs offered for this age group.

The splitting of the age groups into two groups has received broad support. There is currently a drastic dropout rate among children age 9 to 12 years in a range of programs, which demonstrates that their needs are not being met. The split will allow for more effective programming; however, this alone will not eliminate the existing barriers to accessing programming that accommodates this age group's growing maturity and need for independence. This requires models that provide an element of trust and that support industry and skill development in older children. For this to happen, it should be easier to partner with other service providers. There is also a need for age-appropriate regulations that are aligned between education, child care, and other sectors.

Requiring only a single staff person for twenty 9 to 12 year olds raised considerable concerns around liability and safety. Consultations also raised questions of how a child with special needs would be accommodated in this environment. There is support for allowing operators to hire adults who are qualified in a related field, particularly for 9 to 12 year olds. For the six to eight age group, it was agreed that a background in child development would be useful, with regulations that call for appropriately trained staff that have child development backgrounds and knowledge of this age group. The reference in the processed regulations to "access to an ECE" is unclear.

Recommendation 14: Explore alternative models for the 9-12 age group that do not necessarily fall under the Day Nurseries Act. Require two staff for the 9-12 age group.

Recommendation 15: The Province should remain open to developing a new model for middle childhood in consultation with service system managers and partners.

Home Child Care

Licensed home child care is a valued and important contributor to the early learning sector. The range of ages served in a small group setting allows siblings to remain together and many providers offer more flexible hours. Characteristics like these mean that the structure of home child care responds well to individual family needs and for some is a good alternative to centre-based care.

Removal of the rule limiting providers to three children under three years of age has caused some concern related to the number of young children in a home setting. Having more younger children with one provider, who is untrained, is not

safe and does not address quality care. This arrangement puts the provider and children at increased risk.

Recommendation 16: Maintain the number of children cared for by a provider with a licensed home child care agency to 5. The revenue from the additional child does not outweigh the health and safety risk. Municipalities now have the mechanism to address provider compensation levels through a review of the funding model.

Staff Qualifications

As early learning and child care programs in Canada expand and expectations for their achievements grow, the complexities of providing high quality programs will require highly skilled people at all levels. A single qualified staff person is not sufficient in groups of young children. Professional RECEs are needed for many reasons, including health and safety, program quality, and parent support.

There are no changes in the regulation regarding the required number of qualified staff in a group size, per age group. These qualifications were established in 1947 when the DNA was enacted and do not reflect more modern knowledge about the contribution and impacts of RECEs. The College of ECEs has been created, pedagogy has been adopted, research has been conducted to identify impacts on child outcomes and the important role a trained and skilled workforce has on children. We would expect that the regulations acknowledge the modernized system by recognizing the value and the need for more professional staff. Without additional professional staff in a group, the mentoring and leading of staff falls upon the single RECE in the room.

Registered Early Childhood Educators:

- Assess children’s developmental needs and stages in all developmental domains;
- Design curriculum to address children’s identified needs, stages of development and interests;
- Plan programs and environments for play and activities that help children make developmental progress;
- Maintain healthy emotional and social learning contexts for children; and
- Report to parents and supervisors on children’s developmental progress within healthy, safe, nurturing and challenging play environments.

Recommendation 17: Choose group size and age groupings that are organized around developmental need in order to maintain high quality care.

Recommendation 18: A minimum of one registered staff in the infant and toddler age groups is not sufficient. A minimum of two registered ECEs are necessary for these age groups. As indicated, 4 and 5 year olds should have access to two trained staff all day, not just during the Full-Day Kindergarten period.

Recommendation 19: Untrained staff should meet some criteria to work in a child care room. This could include enrolment in a recognized program.

Recommendation 20: Staff qualification requirements should not preclude Aboriginal programs from employing cultural and language teachers in their programs.

Health and Safety

Proposed Amendments from the Province:

Criminal Reference Checks (CRC) and Vulnerable Sector Screening (VSS)

- Require licensed child care operators to include a requirement for a CRC including VSS for:
 - All full- and part-time employees, volunteers, and any other persons having direct, unsupervised contact with children in child care centres;
 - All individuals contracted with a licensed private-home day care (PHDC) agency and PHDC Home Visitors; and –
 - All adults (over 18 years) residing in the home of a PHDC provider (e.g., provider’s child/ren or spouse)
 - In addition, an offence declaration signed by these individuals could be submitted to the operator annually thereafter and regular updates to the CRC/VSS could be requested (e.g., every five years).
 - The Ministry of Education would also require a CRC/VSS for individuals applying for or holding a child care license.

First Aid Training

- All child care centre supervisors, at least 50% of full-time employees working in licensed child care centres, and all PHDC home providers to have current first aid certification from a recognized training program.
- A transition period would be provided. CPR training would be recommended but would not be required.

Nutrition Requirements

- Licensed operators follow the latest version of Canada's Food Guide, have menus reviewed by a registered dietician, and establish policies/procedures describing their approach to providing high-quality meals/snacks and positive meal time experiences.

From "Proposed Changes to Regulation 262 under the DNA", Ontario Regulatory Registry

Nutrition, first aid and criminal reference check proposals were supported. These changes accurately respond to the changing system of early learning and care and reflect current practice. It has been noted that in some cases there will be additional costs for operators or employees.

Recommendation 21: Allow for transition time in Toronto to implement the changes related to health and safety, especially given the time required to obtain Criminal Reference Checks and Vulnerable Sector Screenings.

New Regulation under the Early Childhood Educators Act, 2007

The Province is also proposing a new regulation under the Early Childhood Education Act regarding the composition of the College of Early childhood Educators council.

Proposed Amendment:

It is proposed that a new regulation specify which sectors of society must be represented among the Public Appointees to CECE Council. This would include at least one person representative of Ontario's Aboriginal, First Nation, Métis or Inuit communities and at least one person representative of Ontario's Francophone community. Additionally, the proposed regulation would require best efforts to ensure that persons representing the following sectors would be appointed to the Council: 1) Persons from the public education sector who have expertise in primary education; 2) Persons from post-secondary educational institutions who have expertise in early childhood education; 3) Parents who have children in the licensed child care system; 4) Persons who have professional expertise with respect to children with special needs; and 5) Persons who employ early childhood educators.

Recommendation 22: The City supports the new regulation under the Early Childhood Educators Act, 2007. While there is reference to the representation from the public education sector, it is strongly recommended that the child care service system manager have representation as they plan and manage the system.

Conclusion

The City and community partners who participated in the consultation on the Bill and proposed regulation 262 under the DNA thank the Province for making this opportunity available. The Province should proceed with the regulatory changes related to better aligning the DNA with FDK and adjust the ratios for this age group for FDK school-based before and after school programs to reflect a more appropriate programming approach.

The Province is encouraged to seek more advice on changes related to the younger aged groups, particularly in the areas of group sizes, ratios and staff qualifications. The City would like to offer its support in carrying out any future work in this area.

It is strongly suggested that the introduction of any changes be methodical and phased in to give the system sufficient time to adjust. Ratios, group sizes and staff qualifications are the foundations of success for our youngest learners. Giving systems managers and child care operators time to review and consider the new requirements will help to ensure a successful transition to a more modernized and effective child care system.