



ONTARIO PUBLIC  
SCHOOL BOARDS'  
ASSOCIATION

**Leading Education's Advocates**

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**OPSBA Response to the Regulatory Registry Posting related to the  
*Child Care and Early Years Act, 2014 (CCEYA)***

The Ontario Public School Boards' Association (OPSBA) welcomes the opportunity to respond to this posting concerning proposed regulatory changes related to the *Child Care and Early Years Act*. We have been long-standing advocates for the importance of transforming child care and have contributed to many discussions and consultation papers, including the 2012 Ministry of Education's Discussion Paper -- Modernizing Child Care in Ontario, the 2014 Proposal to Amend Regulation 262 under the Day Nurseries Act, and last fall's submission to the standing committee regarding Bill 10, Childcare Modernization Act, 2014.

We believe that school boards have seen much progress since Full Day Kindergarten was first announced in 2009. Many of our schools continue to enjoy successful partnerships with third party providers delivering before-and after-school programming. This is in addition to our two member boards who are offering this in combination with their own extended day programs. Also, we know that half of licensed child care centres for younger children are located in schools. School boards are invested in supporting high quality, affordable and accessible child care.

With regards to this current proposal, we acknowledge that there are some areas that do not require input from a school board perspective. These initial regulations being proposed address four key areas regarding child care and we will comment where appropriate.

**Licensing Clarity**

OPSBA supports the Ministry in defining child care by describing factors that determine a program's primary purpose. We would be interested in learning more details about what this specifically would include when considering frequency, duration, operational hours, ages, staffing, meals etc. It's important that exemptions are clearly identified and agree that academic or tutoring programs are not considered child care. We fully support the exemption given to Children's Treatment Centres as these are unique programs to support children with special needs. OPSBA has six such treatment centres within its membership.

## OPSBA Response to the Regulatory Registry Posting related to the Child Care and Early Years Act, 2014 (CCEYA)

We understand that authorized recreation and skill-building programs are also exempt and want to express our request for continued dialogue among stakeholders to discuss the various groups offering programs and services to families. These particular programs are currently governed by a separate regulation and a different ministry.

### **Enforcement**

OPSBA supports the need for enforcement measures that are used progressively and would suggest that these enhanced penalties are widely communicated to the child care community and parents. These tools should help enforce compliance and motivate centres to provide improved quality of care and a more consistent standard of care across the province.

### **Licensing Standards**

#### Enhancing Quality

OPSBA supports the use of *How Does Learning Happen? Ontario's Pedagogy for the Early Years* as a guiding resource document for all child care providers. This would support the play-based learning experiences that our FDK students engage in throughout their day. By including regulations that address quality, standards of care across the province will improve. There will be a need to ensure consistency in how quality is defined and measured.

#### Increasing Access to Licensed Before-and After-School Programs

We absolutely support providing consistency and alignment between school and before-and after-school programs. This particular issue was discussed last year in the proposal to amend Regulation 262. At that time we indicated our support to change the age groups for four-and-five year olds and allow a child ratio of 1:13 with a maximum group size of 26. Although the ratio matches the average stipulated for full day kindergarten classes, this is an average, not a hard cap for school boards.

With regards to creating separate age groups for children 6-8 and 9-12, we said, *"OPSBA is very supportive of this proposed model that splits the age groups into six to eight-years-old and nine to 12-years-old categories. This acknowledges the fact that school age children are at a different developmental stage and have more varied interests."* Similar to last year, this proposal allows providers to have the option of adopting these ratios and sizes or following current limits. We appreciate allowing centres to have the flexibility to meet local needs. We believe that the Ministry should consider the parameters or requirements for a centre to use one set of ratios versus the other. For instance, a centre should not be encouraged to use larger ratios as a means to having/paying less staff. Quality of care cannot be compromised.

These new options for ratios and maximum group sizes would also have to take into consideration any special needs requirements.

The proposed regulation also states that there would be new space requirements for licensed programs and it is our understanding that these would now finally align with what is expected at schools. We wonder if these "space requirements" would also include outdoor teaching spaces and playground standards. We continue to advocate that the requirements should not be

OPSBA Response to the Regulatory Registry Posting related to the  
Child Care and Early Years Act, 2014 (CCEYA)

different for children who attend school from 9 a.m. to 3 p.m. than those who attend either before or after the regular school day.

On the subject of space, we need to be mindful of the reality of shared space. We know there are many schools that are struggling to find workable solutions for their shared classrooms and spaces. Many schools service entire communities and there must be mutual respect shown by and to everyone who uses these spaces. Student safety (both regular day and before-and after-school children) must always be maintained. This is a leadership issue and a communication one.

We note there is no mention of staffing in this current proposal. Will this be discussed at a later date? In our submission last year we supported younger children in the six-to-eight age group as benefitting from having a Registered Early Childhood Educator (RECE) as a program staff person. This model would be a better fit to address the developmental needs of this age group. We also liked having local flexibility for the staffing to support the nine-to-twelve aged children and their more diverse areas of interest.

Updating Health and Safety Standards

OPSBA has a strong history of advocacy for student achievement and well-being and takes pride in the contributions we have made to the shaping of education policy in Ontario. We believe that improving student achievement and student engagement is directly linked to ensuring that we work collaboratively for the social, emotional, mental and physical well-being of all children and youth. This means striving to make our schools and communities healthier places for students to learn and grow.

OPSBA supports the obligation for licensed child care operators to have policies requiring a Police Vulnerable Check. We believe that all adults working or volunteering in a child care environment should be subject to this requirement, and that provision should be made in the policy to re-check all staff/volunteers at least every five years. The proposal also contemplates requirements that all individuals annually complete an offence declaration. It is our understanding that this is already a requirement with the College of Early Childhood Educators and suggest this be investigated to avoid duplication.

We recommend that all full time employees have current first aid training. Our members suggest that child care supervisors be aware of the other "health-related issues" and laws that schools boards much adhere to (i.e. Sabrina's Law, Concussion procedures, etc.)

Communication is crucial to parents and we support any requirement that ensures parents are notified about accidents and incidents involving their child. There should be some consideration given to ensure this information is also shared with the child's school day instructor in a timely manner.

We support the requirement of using the latest version of the Canada Food Guide and the option of using the Food Guide for First Nations, Métis and Inuit. We would assume that child care centres would continue to have their menus reviewed and approved by a dietician on a regular basis, particularly to support food substitutions and/or dietary restrictions.

OPSBA Response to the Regulatory Registry Posting related to the  
*Child Care and Early Years Act, 2014 (CCEYA)*

**Children with Special Needs**

We are supportive of updating the terminology used to support children with special needs. We would hope that this matches similar descriptions used in the education sector. Our caution for this section is that any provider caring for special needs children must have the training and knowledge to support that child and their family. An integrated plan of care should be considered, similar to an Individual Education Plan used by school boards that describes the special education program and/or services required by a particular student.

This section also indicates that the move from the Day Nurseries Act to the CCEYA will allow for a transition period of special needs supports for those children ages 13 to 18. It states that there is a “range of services that are now available in the community outside of child care settings for adolescents with special needs.” We do not feel this statement is entirely accurate. In fact, our boards would say that the number of children with special needs is increasing and the funding and access to services is decreasing.

Thank you for the opportunity to comment on this first round of regulations for the *Child Care and Early Years Act*. We look forward to the upcoming proclamation date and the next tier of regulations, especially those aimed at amending the *Education Act*. The offering of before-and after-school programming for children ages 6 to 12 is an exciting initiative that will require all stakeholders to actively engage in discussions on the provision of options for parents and families.

In closing, we would like to offer a final comment regarding community hubs. With this initiative and the recent funding announcement for child care capital in schools, we are still advocating that schools be part of the provincial discussion. Schools, as hubs, are critical to supporting our youngest learners, engaging parents and connecting them to the services they need.

Sincerely,



Michael Barrett,  
President

The Ontario Public School Boards' Association (OPSBA) represents public district school boards and public school authorities across Ontario. Together our members serve the educational needs of almost 70% of Ontario's elementary and secondary students. The Association advocates on behalf of the best interests and needs of the public school system in Ontario. OPSBA believes that the role of public education is to provide universally accessible education opportunities for all students regardless of their ethnic, racial or cultural backgrounds, social or economic status, individual exceptionality, or religious affiliation.