

Adopted by Council at its meeting held October 5, 2015 [M421-2015]

/AC

Windsor, Ontario, October 5, 2015

**REPORT NO. 336 of the
SOCIAL DEVELOPMENT,
HEALTH & CULTURE STANDING COMMITTEE**
of its meeting held September 9, 2015

Present: Councillor Ed Sleiman, Chair
Councillor Paul Borrelli
Councillor Rino Bortolin
Councillor John Elliott

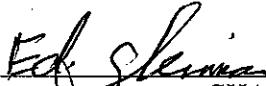
Regrets: Councillor Jo-Anne Gignac

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:


Moved by Councillor Borrelli, seconded by Councillor Elliott,
THAT the administrative report authored by the Manager of Children's Services dated July 21, 2015 entitled "*The Child Care and Early Years Act, 2014 (CCEYA)*" **BE RECEIVED** for information.
Carried.

LIVELINK #17909 SS2015

Clerk's Note: The administrative report authored by the Manager of Children's Services dated July 21, 2015 entitled "*The Child Care and Early Years Act, 2014 (CCEYA)*" is attached as background information.

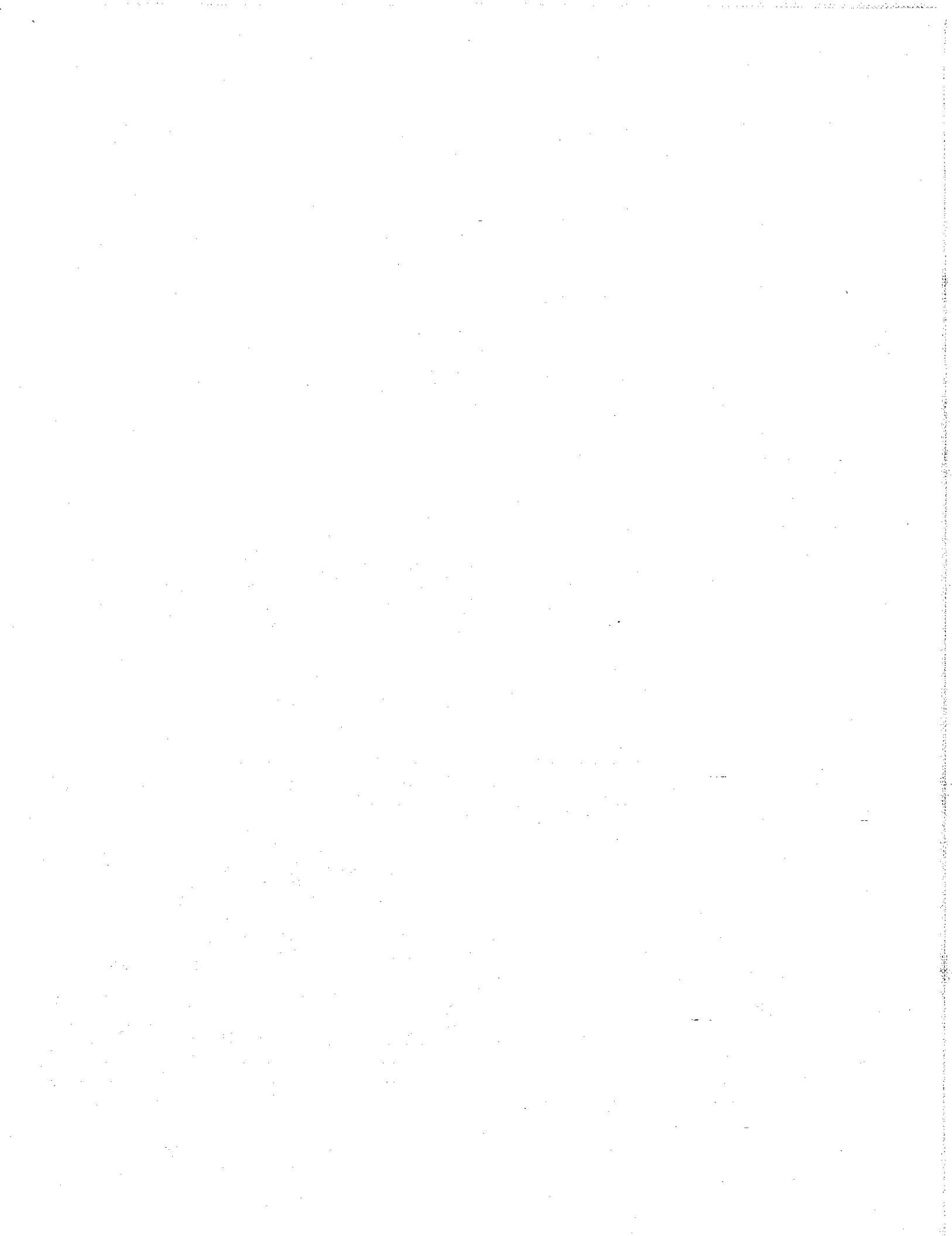


CHAIRPERSON



SUPERVISOR OF COUNCIL SERVICES

NOTIFICATION:				
Name	Address	Email Address	Telephone	FAX
See notification on report				



THE CORPORATION OF THE CITY OF WINDSOR
Social Development, Health and Culture Standing Committee-
Administrative Report

**MISSION STATEMENT:**

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

LiveLink REPORT #: 17909 SS2015	Report Date: July 21, 2015
Author's Name: Dawn Bosco	Date to Standing Committee: September 9, 2015
Author's Phone: 519 255-5200 ext. 5290	Classification #:
Author's E-mail: dbosco@citywindsor.ca	

To: Social Development, Health and Culture Standing Committee

Subject: The Child Care and Early Years Act, 2014 (CCEYA)

1. RECOMMENDATION: City Wide: Ward(s): _____

THAT this report BE RECEIVED for information purposes.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND

The legislation that currently governs the operation of licensed child care in Ontario is the Day Nurseries Act (DNA). The DNA sets out requirements to protect the health, safety and well-being of children in care and has become outdated.

In December 2014, the *Child Care Modernization Act, 2014*, was passed. The new legislation will modernize and strengthen Ontario's child care system in order to better support parents and give children the best possible start in life. To support the new legislation, new regulations and a new Act will be in effect August 31, 2015, as the new legislative framework governing child care in Ontario.

The Day Nurseries Act will be replaced by the *Child Care and Early Years Act, 2014* which will provide a new modernized legislative framework that would govern the provision of child care and early years programs and services. The new Child Care and Early Years Act, 2014, will set the foundations for a high quality integrated system of child care and early years services and supports for children aged 0-12.

3. DISCUSSION:

The Community Development & Health Services Department is the Consolidated Municipal Service Manager (CMSM) for Children's Services in Windsor and Essex County. The CMSM as the designated child care service system manager is responsible for planning and managing licensed child care services. Child care services are managed through a service planning process that reflects current child care legislation, in accordance with legislative guidelines determined by the Ministry of Education (MEDU). In addition to child care this CMSM is responsible for the management of family support programs that include Early Years Centres. Both will be governed by the new Child Care and Early Years Act, 2014, effective August 31, 2015.

The Ministry has continued to engage and inform families and the child care and early years sectors throughout the transition and implementation, including the release of a resource called "**The New Child Care and Early Years Act: What Providers and Parents Need to Know**". This document highlights changes and new requirements related to enforcement, health and safety, school-age ratios and quality programming.

The CCEYA includes the following:

- **Enhances safety and strengthens oversight** of the licensed and unlicensed child care sector by providing the government with a range of new enforcement tools (e.g. ability to issue administrative penalties);
- **Increases access** to licensed child care options by increasing the number of children a licensed home-based child care providers can care for from five to six;
- **Clarifies which programs require a license** and which are exempt (e.g. care provided by relatives, babysitters and nannies would be exempt);
- **Reflects a focus on high-quality** programs and services (e.g. articulated in the provincial interest, policy statement to guide programming and pedagogy).

The CCEYA provides for the following legislative and regulatory changes:

- a focus on quality that promotes health, safety and well-being of children and high quality experiences;
- prohibitions and duties for all child care providers (licensed and unlicensed, where appropriate) that includes: past conduct, right of parental access, prohibited use of terms related to licensed child care, holding out as licensed, duty to disclose unlicensed status, duty to post license/signage, duty to provide receipts and accreditation;
- Provisions set out that where a child care centre is in a school, the same building standards that apply to the school would apply to the child care centre that provides care only to children four and up;
- Establish optional alternative age groupings and ratios for school-aged children in school-based child care centres as well as in licensed centres in community locations;
- Safety-related building/accommodation standards in any Act, regulation or municipal by-law for schools also applies to child care in schools only service children aged 4 and up;
- Requirements for Police Vulnerable Sector Check for everyone working with children in licensed child care settings or living in a home where child care is offered;
- First aid certification for all child care supervisors and employees in licensed child care and home child care providers;
- Child care programs are required to notify parents when a child is injured or any incident that occurs that affects health, safety or well-being of a child;

- All licensed operators must follow the latest version of Canada's Food Guides/First Nations Food Guide and have policies/procedures to provide high-quality meals/snacks and positive meal time experiences.

4. RISK ANALYSIS:

Resource Risks: None identified at this time

Timing Risks: None at this time

Cross-Corporate Impact Risks: None at this time

Community Impact Risks: None at this time

Political Risks: None at this time

Other Risks: None at this time

5. FINANCIAL MATTERS:

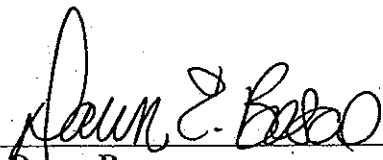
There is no municipal cost to implement the Child Care and Early Years Act.

6. CONSULTATIONS:

N/A

7. CONCLUSION:

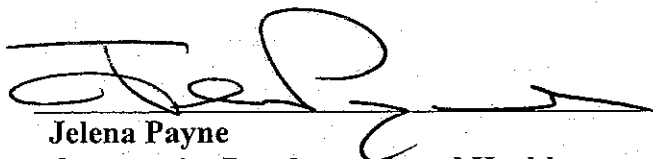
The Child Care and Early Years Act 2014, will be in effect August 31, 2015 as the governing legislation which will focus on strengthening child care programs and ensuring high quality experiences for children which will ultimately benefit the children and families in our community.



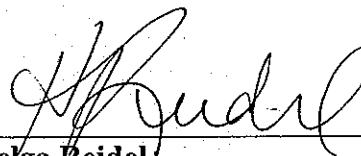
Dawn Bosco
Manager of Children's Services



Debbie Cercone
Executive Director of Housing and
Children's Services



Jelena Payne
Community Development and Health
Commissioner



Helga Reidel
Chief Administrative Officer

db

APPENDICES:

The New Child Care and Early Years Act: What Providers and Parents Need to Know

DEPARTMENTS/OTHERS CONSULTED:

Name:

Phone #: 519 ext.

<i>Name of Child Care</i>	<i>Name of Owner/Operator</i>	<i>Email Address</i>	<i>Telephone</i>
Al-Hijra Child Care/ School	Waheeda Khan	principal@alhijraacademy.com	519 966-8276
A Place to Grow	Lisa Mouawad	lmouawad1@cogeco.net	519 818 1029
ABC	Kaye Holmes	kaye@abcdaynursery.ca	519 256 5141
Academie Ste. Cecile Academy	Therese Gadoury		519 966-7755
Alexander's Day Care	Sonja Dinitrievski	sonja@alexandersdaycarecenter.com	519 735-7553
Anderdon Child Care Inc.	Bridget Reid	bridgetreid6@gmail.com	519 564 5051
Audrey's Club House	Audrey Fittler	afittler@bellnet.ca	519 322 1801
Best Friends	Phyllis MacIntyre	bestfriendslc@hotmail.com	519 966 51
Bright Child Montessori	Melissa Tregaskiss	melissa@brightchild.ca	519 736 4022
Delta Chi	Cheryl Sprague	clsprague@live.com	519 977 5922
Discovery	Judy Spadafora	Discovery1@bellnet.ca	519 733 8202
Division Road Preschool	Dana Colenutt	dccentre@jet2.net	519 733-6800
First Steps	Sue Sherk	frststep@mnsi.net	519 776 8699
Franco Sol	Sue Lalonde	s.lalonde@bellnet.ca	519 979 1699
Good Shepard Day Care	Ruth Krey	gslcdaycare@hotmail.com	519 736-6979
Great Beginnings	Barb McConnell	bmmccconnell@cogeco.net	519 253 5235
Harrow Day Care	Mary Ryan	harrowdaycare@bellnet.ca	519 738-6457
John McGivney	Anita Hayes	Hayes@mcccentre.ca	519 252 7281
Kinder Academy	Tina Salvatore	tsalvatoreka@gmail.com	519 966-9041
La Garderie Les Petites Mains	Bassima Zein	lespetitesmains@bellnet.ca	519 258-4528
Lakeshore Township	Fahima Mullins	lakeshoredaycare@bellnet.ca	519 727 3711
Lakeview Montessori	Carol Turner	cturner@lakeviewmontessori.ca	519 735 5005 x 23
Latchkey Day Care	Vivian Stajdohar	Latchkey-vivian@mdirect.net	519 979 43
Little Buddies	Tammy Brochert	littlebuddiespreschoolcentre@hotmail.com	519 713-9550
Little Stars Child Care	Patricia Fletcher	littlestars.childcare@hotmail.com	519 966-5688

Montessori Academy of Windsor	Dusanka Stulic		519 967-9977
Montessori Early Years	Karina Nader	info@montessoriearlyyears.ca	519 978 2600
Montessori Early Years	Maria Vasapolli	maria@montessoriearlyyears.ca	519 978-2600
Montessori School Of Windsor	Michelle Charette	montessorischoolofwindsor@sympatico.ca	519 969-0933
Olivia DiMaio Early Childhood Education	Michelle Saccucci	info@oliviadimaio.com	519 962-8572
Once Upon A Time	Rosa Richardson	ouat@gosfieldtel.com	519 776 6555
Playful Steps	Joy Mulcaster	jm.playfulsteps@gmail.com	519 979 8907
Ruthven Montessori Academy	Carrie Vida		519 322-0806
Sakeena Child Care	Aamer Shujah	ashujah@gmail.com	519 966-4422
Ska Na	Faith Hale	faith@skanaflc.com	519 948 8115
Sonshine Day Care	Kristine Coombes	sonshinedaycare@bellnet.ca	519 728 9456
Storybook	Jill Foster	storybookjaf@on.aibn.com	
Sundowners	Leah Hills	lhills@sundowners.com	519 258 8741
The Creative Child Learning Centre	Michelle DiCarlo	michelle1@bellnet.ca	519 736-8400
The Learning Corner	Lynn Welch	Lynn_Welch@can.salvation.army.org	519 944 4918
The New Canadian Centre of Excellence	Bernadette Dzugan		519 985 6333
The School House Early Learning Centre	Katelynn Garvin	theschoolhouseelc@gmail.com	519 972-1001
The Toy Box	Anna Raymond	araymond@thetoyboxece.com	519 966-2727
Tilbury Tots	Jody Bernier	tots@cogeco.ca	519 682 0804
Wee Watch	Tracy Bruce	weewatchwindsor@cogeco.ca	519734-0959
Windsor East	Luann Daniel	enrichedhome@gmail.com	519 739-649
YMCA Child Care	Denise Simpson	dsimpson@ymcawo.ca	519 258-3881
Your Wooden Treehouse	Jennifer-Jane Poisson	yourwoodentreeshouse@yahoo.ca	519 551-2891
OEY Agency Centres	Contact Name	Email Address	Telephone
Connections	Linda Edwards	ledwards@smflc.ca	519 252,9696
Drouillard Place	Marina Clemens	mclemens@drouillardplace.ca	509 253-1073
Franco-Sol	Sue Lalonde	s.lalonde@bellnet.ca	519 979-7699
Great Beginnings	Barb McConnell	bmccconnell@cogeco.net	519 253-5235
KEYS	Jenna Foley	jfoley@accesscounty.ca	519 733-8983
Skn:Na FLC	Faith Hale	skana@windsor.igs.net	519 948-8115



The New Child Care and Early Years Act: *What Providers and Parents Need to Know*

General

What is the Child Care and Early Years Act?

Together, we have been working hard to ensure child care in Ontario reflects the realities of our modern world. Our overarching goal is to build a child care and early years system that better supports parents and gives children the best possible start in life. Extensive consultation with parents and early years partners was key to developing this modernization plan.

To support our ambitious goals, the *Child Care and Early Years Act, 2014* (CCEYA) will come into effect on August 31, 2015. This legislation will replace the outdated *Day Nurseries Act* (DNA) and establish new rules governing child care in Ontario.

Many of the new provisions will strengthen compliance and health and safety in child care settings, and help parents make informed choices about their options. Many of the provisions that existed under the regulations under the *Day Nurseries Act* are unchanged and will be carried forward under the CCEYA.

Who does the Act apply to?

The Act will apply to:

- Unlicensed child care
- Home child care providers contracted by a licensed agency
- Licensed home child care agencies; and
- Licensed child care centres.

ontario.ca/childcare



Who is exempt from the Act?

The following are some examples:

- Nannies or babysitters that provide care to children in the children's home
- Care by relatives
- Camps that only care for children aged 4 and over
- Programs with a primary purpose of academic or skill-based recreation
- Private schools that only care for children aged 4 and over.

When do the new rules come in effect?

The new rules will come into effect on August 31, 2015. However, the following two rules for **unlicensed providers** will not apply until January 1, 2016:

1. Providers must count their own children under the age of 6*
2. Providers can only care for a maximum of 2 children under the age of 2*.

The following rule will not apply until August 31, 2017:

- Providers must include 10, 11, and 12 year olds in the total count of children they care for.

* However, these exceptions only apply to children who were already being cared for by the provider on December 4, 2014. For example, if a provider was caring for three 1-year-old children on December 4, 2014, they can continue to care for those children until January 1, 2016.

What happens if someone doesn't follow the rules?

Contraventions of the Act and its regulations could lead to administrative penalties, and/or convictions that could include fines. The Ministry of Education will typically take progressive measures, such as compliance orders, as appropriate, before issuing a penalty. Administrative penalties would increase based on the length of the violation, and previous violations.

For instance, if a provider has more than the permitted number of children in care, the penalty would start at \$2,000 per child per day. In addition to financial penalties, the ministry will post on their website when a child care provider has been issued a compliance order, administrative penalty, protection order and/or restraining order.

Where can I get more information on the new rules?

- Child Care and Early Years Act, 2014
- Ontario regulations made under the Child Care and Early Years Act, 2014:
 - ♦ O. Reg. 137/15: General
 - ♦ O. Reg. 138/15: Funding, Cost Sharing and Financial Assistance
- The Minister's Policy Statement on Programming and Pedagogy

Home-based Child Care

How many children can a home child care provider care for?

A licensed home child care provider can care for a maximum of 6 children under the age of 13.

An unlicensed child care provider can care for a maximum of 5 children under the age of 13.

Does a provider have to count their own children?

Yes. Both licensed home child care providers and unlicensed providers must count their own children under the age of 6.

Are there age restrictions for the children a home child care provider can care for?

Yes. Both licensed and unlicensed child care providers must:

- Count their own children under the age of 6
- Care for a maximum of only 2 children under the age of 2 (including their own children).

Is it true that a home child care provider can only care for 3 children under the age of 3?

No. Both licensed home child care providers and unlicensed providers must:

- Count their own children under the age of 6
- Care for a maximum of only 2 children under the age of 2 (including their own children).

Can a home child care provider care for more children if another adult is present?

No. The maximum number of children applies regardless of the number of adults in the home.

Do the rules apply any time of day, or can a home child care provider care for more children outside of regular school hours?

The rules apply at any time of day.

If a home child care provider has a child in Full-Day Kindergarten, do they count toward the maximum number of children they can care for?

If a provider's own 4 or 5 year old child is attending publicly-funded Full-Day Kindergarten or grade one, they only need to count them during summer vacation. The provider's own child does not need to be included in their count during the school year (including March break and PA days), as long as:

- Care is only being provided between 6 a.m. and 7 p.m.
- The provider cares for a maximum of one child younger than 2 years old; and
- The provider has not been convicted of an offence under the DNA or CCEYA.

If an unlicensed home child care provider is caring for five children and their child aged 6 or older is home sick from school, would they be over the maximum number of children?

No. Licensed and unlicensed home child care providers must only include their own children under the age of six in their total count.

What other new requirements will take effect?

An unlicensed provider must inform parents that they are unlicensed in writing (either hard-copy or electronic). A provider must keep proof of their disclosure for two years. The disclosure must say: "This child care program is not licensed by the Government of Ontario."

All providers, both licensed and unlicensed, are required to provide receipts for payment of services upon request.

With specific exceptions, all providers, both licensed and unlicensed, are required to allow parental access to the premises and their child.

An unlicensed provider cannot operate in more than one location.

Licensing Standards

What are the ratios for licensed child care centres?

Licensed child care centres are required to meet the minimum standards set out in the following ratios.

The majority of the ratios for licensed child care centres remain unchanged. Only the ratios for 4-5 year olds and 9-12 year olds have been changed and operators may choose to use the former ratios or the new ones.

Licensed child care centres can choose to have more staff than is required, but may not have less:

Age Grouping	Ratio of Staff to Children	Maximum number of children in group
Infants (younger than 18 months)	3 to 10	10
Toddlers (18 months or older but younger than 30 months)	1 to 5	15
Preschool (30 months or older but younger than 6 years)	1 to 8	16
Kindergarten (44 months or older but younger than 68 months)	1 to 13	26
Primary/junior school age (68 months or older but younger than 13 years)	1 to 15	30
Junior school age (9 years or older but younger than 13 years)	1 to 20	20

The square footage requirements for licensed child care centres have been aligned to support the new kindergarten and school-age ratios to 2.58 square metres per child.

What new health and safety regulations are required under the new Act?

Many provisions were carried forward from the DNA and remain unchanged.

All staff, volunteers, and students at licensed child care centres and agencies require criminal reference checks. This includes vulnerable sector screening, which must be updated every five years. Offence declarations must be provided every year that Vulnerable Sector Checks are not required.

All child care supervisors, employees, and home child care providers must have a valid standard first aid certification including infant and child cardiopulmonary resuscitation (CPR).

All parents must be notified when any accident or incident occurs that could affect the health, safety, or well-being of their child, and be provided with a copy of the report.

All meals, snacks and beverages must meet the recommendations set out in the Health Canada documents "Canada's Food Guide", "Canada's Food Guide – First Nations, Inuit and Métis" or "Nutrition for Healthy Term Infants", as the case may be.

Is there a deadline for employees to get their first aid certification?

Many employees and home child care providers already have their first aid certification. It is expected that when the CCEYA is proclaimed, employees and home child care providers would have valid certification in standard first aid, including infant and child CPR.

When do employees or home child care providers have to complete their Vulnerable Sector Checks?

Many employees and home child care providers already have a Vulnerable Sector Check. Employees and home child care providers with Vulnerable Sector Checks older than five years must apply to obtain a new one within 30 days after the legislation comes into force.

Can a new employee start work before they have their Vulnerable Sector Check?

New employees and home child care providers must obtain a Vulnerable Sector Check before they begin employment and/or provide care to children.

In certain circumstances, new employees and home child care providers can begin working with children before they receive their Vulnerable Sector Check, as long as they apply for it as soon as possible and the length of time it takes to receive it justifies the delay.

Employers and agencies are required to ensure additional measures are in place to protect children until the Vulnerable Sector Check is obtained.

What are the new program requirements for licensed providers?

Every licensed provider must have a program statement that is consistent with the Minister of Education's Policy Statement that sets out *How Does Learning Happen?* (HDLH) as the framework to guide programming and pedagogy. HDLH

reflects the province's view of children as competent, capable, curious and rich in potential. It is grounded in current research in early child development and provides a positive framework to support children and families.

To read the Minister of Education's Policy Statement go to: <http://www.edu.gov.on.ca/childcare/programCCEYA.pdf>.

How will parents know their child care is licensed?

Under the new legislation, all licensed child care centres, home child care agencies, and homes contracted with a home child care agency will receive and display decals to identify them as licensed by the government of Ontario. Decals will be mailed to centres in fall, 2015.

How will the new Act affect child care centres in schools?

A child care centre located in a school, serving children age 4 and up, will be considered part of the school. This means the building and accommodation standards and requirements that apply to the school will also apply to the child care centre. Separate requirements such as zoning, building code, playground regulations and window glass will no longer be required for these centres.

Are there any changes to staff qualifications?

Staff qualifications remain unchanged for licensed child care centres.

A home visitor, who is employed by licensed home child care agencies to visit and monitor homes providing licensed home child care, must now be a Registered Early Childhood Educator (RECE), or otherwise have director approval.

Anyone who possesses an Early Childhood Educator (ECE) qualification, and is working within the scope of practice (planning, delivering and assessing inclusive play-based programs for children), must register with the College of ECEs.

Further Resources

- *How Does Learning Happen? Ontario's Pedagogy for the Early Years:*
<http://www.edu.gov.on.ca/childcare/HowLearningHappens.pdf>
 - ◆ An Introduction to *How Does Learning Happen?* for Educators:
<http://www.edu.gov.on.ca/childcare/EducatorsEn.pdf>
 - ◆ An Introduction to *How Does Learning Happen?* for Leaders:
<http://www.edu.gov.on.ca/childcare/LeadersEn.pdf>
 - ◆ An Introduction to *How Does Learning Happen?* for Home Child Care Providers: <http://www.edu.gov.on.ca/childcare/HomeChildCareEn.pdf>
- *Think Feel Act: Lessons from Research about Young Children:*
<https://www.edu.gov.on.ca/childcare/ResearchBriefs.pdf>
 - ◆ Think Feel Act Videos: <http://www.edu.gov.on.ca/childcare/research.html>
- ECE Qualifications Upgrade Program: As of July 1, 2015 this program will be expanded to allow unlicensed home child care providers to apply for funding. Funding will be prioritized for individuals working under a Director Approval.
http://www.ecegrants.on.ca/English/home_en.html
- The College of Early Childhood Educators: www.college-ece.ca

