



**Submission to the  
Standing Committee on General Government:**

**Bill 66, Restoring Ontario's Competitiveness Act, 2018**

**Schedule 3: Ministry of Education  
*Child Care and Early Years Act, 2014*  
and  
*Education Act***

**Submitted by:**

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The College of Early Childhood Educators is pleased to provide the Standing Committee on General Government with input during the Committee's consideration of Bill 66, the *Restoring Ontario's Competitiveness Act, 2018*. These comments are focused on Schedule 3 to the Bill, which amends the *Child Care and Early Years Act, 2014* (CCEYA) and *Education Act*.

## **Background**

The College of Early Childhood Educators (the College) was established under the *Early Childhood Educators Act, 2007* (ECE Act). The College regulates the profession of early childhood education in the interests of children, families, and the public of Ontario, and is accountable to the Ministry of Education (the Ministry). The College has over 53,000 current registered early childhood educators (RECEs) who are trusted to provide education and care to the most vulnerable members of Ontario's population.

## **Commentary on Schedule 3 of Bill 66**

The College acknowledges the importance of affordability and availability of child care for families; yet cautions that any increases in access should not come at the expense of quality and safety. Families need assurances that any changes to the child care sector will be supported by mechanisms that ensure safe and quality care and learning are provided to their children.

For all of the proposed amendments, consideration must be given to the implications for both care and learning. Care and child development are inextricably linked – an infant is learning from the day they are born and at a much greater pace during their first five years of life than at any other stage of development. It is essential that both care and learning are promoted, addressed, and supported so that Ontario's children can benefit from sustained quality in the child care sector and realize positive outcomes for their development.

The government has stated that its priorities for the child care sector are quality, affordability, choice, availability, and reducing administrative burdens. The College is concerned that the changes set out in Schedule 3 of Bill 66 seek to address some of those priorities at the expense of quality and safety. Based on the proposed amendments alone, there is no assurance that mechanisms will be in place to properly manage and mitigate potential risks to children's safety and well-being and to the quality of care and learning that are provided.

Proposed increase in the number of children under the age of two years in home-based and unlicensed child care

Tragic incidents, in Ontario and elsewhere in Canada, raised serious concerns about the safety and supervision of children, especially in unregulated home child care settings. They are a stark and sombre reminder of the harms that can arise if an appropriate framework for the child care sector is not established, maintained, and enforced. The efforts made over the past few years to ensure the safety and protection of the youngest in the province are now at risk of being compromised. The government has opportunity to enhance safety and quality in the child care sector, yet the changes proposed in Schedule 3 of Bill 66 present a grave risk of having the opposite effect.

Children under the age of two years are one of the most vulnerable populations. Infants and toddlers have unique needs and require specialized attention and individual care that is very different from that required by pre-school age and school age children. Permitting more children of this age group to be under the care of a single individual, who is often **not** a regulated, qualified professional, puts children's safety, well-being, and development at risk.

Potential risks are further compounded by the proposal to permit home-based child care and unlicensed child care providers to exclude their own children from the total count of children starting at the age of four years instead of six years. This change permits these providers to care for additional children, with the effect that their energies and attention per

child are stretched even more thinly, potentially compromising their capacity to safely supervise and nurture the development of all children in their care.

If the proposed changes are implemented, a single unlicensed child care provider could care for three infants and two three-year old children, and also their own four- and five-year old children outside of school hours. That is, a total of seven children five years of age and younger, three of whom are infants. Having so many very young children, at very different stages of growth and development, under the care of a single individual is deeply concerning.

Risks are also exacerbated when child care providers are not regulated, qualified professionals. With respect to individuals who are not regulated:

- *There are **no** requirements for their qualifications or training.* The only requirements in the regulations under the CCEYA are that home-based child care providers have valid certification in standard first aid, including infant and child CPR, and a vulnerable sector police record check. With respect to unregulated child care providers, **none** of these requirements are applied. In contrast, regulated professionals, including RECEs, are accountable for meeting specified standards and qualifications in order to practice in Ontario. Topics covered in RECEs' preparatory post-secondary education include child development, designing effective and age-appropriate environments, child health and safety, and the duty to report suspicions of child abuse and neglect. A number of studies highlight that having qualified staff in the early years sector is critical for establishing quality learning environments and setting the foundation for children's success in the future.<sup>1</sup>
- *They are **not** held accountable to practise safely, competently, professionally, and ethically on an ongoing basis.* In contrast, RECEs are required to practise

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<sup>1</sup> Whitebook, Mary. (2003). *Early Education Quality: Higher Teacher Qualifications for Better Learning Environments – A Review of the Literature*. Center for the Study of Child Care Employment, Institute of Industrial Relations: Berkeley, California.

OECD. (2012). *Starting Strong III: A Quality Toolbox for Early Childhood Education and Care*. OECD Publishing. p. 144. [http://www.oecd-ilibrary.org/education/starting-strong-iii\\_9789264123564-en](http://www.oecd-ilibrary.org/education/starting-strong-iii_9789264123564-en).

according to the *Code of Ethics and Standards of Practice*, engage in continuous professional learning, and act at all times in the best interests of children and families. Accountability of RECEs is also enforced through the College, with whom families can file complaints or raise concerns about an RECE's conduct. There are no such accountability mechanisms in place with respect to the conduct of unregulated child care providers.

- *Parents and families do **not** have an independent, verified resource, such as a register, where they can get information about the qualifications, practice history, and authorization of unregulated care providers to practice in Ontario.* In contrast, regulated professionals are included on such a register that is maintained by a regulatory body. The College maintains an online register of RECEs which includes registration status, years of membership and history of any disciplinary findings or practice restrictions. Choice in child care is only meaningful when parents and families have access to sufficient information to make informed decisions about care providers in all types of settings.

All of the above issues and risks also exist for proposed amendments to the two-provider model. The proposals do not include any additional oversight or accountability measures for either the home where care is provided, or the individual providers.

The College recommends that the proposals be reconsidered, and that before any such changes are pursued, appropriate steps are taken to ensure safe and quality care and learning are provided to children. The health, well-being, and development of children are at heightened risk when access to child care is increased without commensurate safeguards also put into place.

Proposed elimination of the requirement for third party programs for kindergarten children to be led by an RECE

RECEs are qualified, regulated professionals and leaders. The College cautions that any dilution of the number and proportion of regulated professionals in early learning and care

environments can have a negative impact on the safety and well-being of children and quality of programs.

With respect to third party programs for kindergarten children specifically, the proposed change will mean that children, four and five years of age, may no longer receive the appropriate care and education provided by RECEs who, informed by expert knowledge of child development and pedagogy, lead and design these programs. Children and families will also miss out on the benefits of the caring, responsive, and professional relationships that are a hallmark of RECEs' practice and critical for children's healthy development.

Additionally, if implemented, the changes will be a missed opportunity to strengthen a seamless learning experience for children whereby RECEs who work in partnership with teachers in kindergarten classes, also lead before-and-after school programs. Quality in early learning and care is enhanced when there is continuity between learning programs. The College recommends that the proposal, to eliminate the requirement that third party programs be led by an RECE, be reconsidered, particularly in relation to programs for kindergarten children.

Proposed reduction in the minimum age for authorized recreational and skill building programs from six years to four years

The College is concerned that there are risks to opening these programs to younger children without assurances that safeguards are in place to ensure the safety and adequately meet the needs of children four to five years of age. Examples of necessary safeguards include the following.

*Programs must be equipped so that the physical environment is safe and promotes age-appropriate learning and development of all children. What may be safe for a group of children eight to ten years of age, may not be safe for children four or five years of age. Programs with mixed age groupings cannot expand to include children four to five years of*

age without first carefully reviewing and modifying the environment to ensure it is safe for this younger group and supports their positive learning and growth.

*Programs must be guided by policies and procedures for the safety and appropriate supervision of children at all times and specifically during circumstances of increased risk.* Based on the data obtained from complaints and reports received by the College, insufficient supervision is more likely to occur during transition periods such as going from one activity to another, arrival and departure times, and commuting from one site to another. The requirements for the appropriate supervision of children of four and five years of age are very different from those applicable to older children.

*Programs must be designed to deliver age-appropriate learning experiences.* Programs must be informed by current evidence and research on child development, learning theories, and pedagogical and curriculum approaches that support the unique needs of children who are four or five years of age. Simply including children as young as four in activities designed for older children will not provide the quality of learning experience that parents expect from such recreational and skill-building programs.

The College recommends that the proposal be reconsidered and before any such changes are implemented, appropriate steps be taken to ensure the safety and well-being of children, and the quality of the learning experiences provided by authorized recreational and skill building programs to an expanded age group.

## **Conclusion**

Choice in child care is only meaningful when safe, quality care and learning experiences can be assured across various child care settings. Access to child care and reduction in perceived administrative burdens should not compromise standards of safety and quality. The College recommends that the changes proposed in Schedule 3 of Bill 66 be reconsidered and appropriate steps taken to ensure quality and safety before any changes to the child care sector are implemented.



The College appreciates the opportunity to provide this submission to the Standing Committee on General Government during its consideration of Bill 66. The College would be pleased to provide any further information which would be of assistance and participate in consultations related to the early learning and child care sector.

Yours truly,

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