

Regulatory Registry Feedback  
 c/o Early Years and Child Care Division  
 Ministry of Education  
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**Consultation regarding proposed regulatory amendments  
 under the *Child Care and Early Years Act, 2014***

As the regulatory body for more than 55,000 registered early childhood educators (RECEs) in the province, the College of Early Childhood Educators (the College) is pleased to make this submission in response to the consultation regarding proposed regulatory amendments under the *Child Care and Early Years Act, 2014* (CCEYA). This submission builds on the feedback provided during the five-year review of the CCEYA.<sup>1</sup>

The proposed regulatory amendments are wide-ranging and substantive, positioned as an attempt to address some of the long-standing systemic issues that the early learning and child care (ELCC) sector continues to face. Effective solutions to complex systemic policy issues can only be developed through thoughtful dialogue with all partners involved. For the past nine months, the ELCC sector has been disrupted by the COVID-19 pandemic and RECEs remain focused on being able to continue to offer and adapt programs that protect the health and safety of children, families and staff. Many are concerned that they have not had opportunity to meaningfully contemplate the impacts of these proposals. Rather than proceed with significant amendments at this time, the College encourages the Ministry of Education (the Ministry) to engage in further consultation with the sector to better define the issues and develop and implement solutions to address root causes.

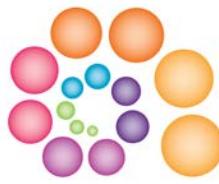
While the College appreciates the desire to increase accessibility and affordability of child care and reduce administrative burden, these objectives cannot, and should not, be achieved at the expense of a properly qualified workforce or the safety, health and well-being of children. The College is concerned that the proposals worsen, rather than rectify, systemic problems, and these “quick fixes” come with inherent short and long term negative consequences for children, families and the sector.

The remainder of this submission outlines the College’s chief concerns with the proposals and lays out a vision for how the Ministry, in partnership with the sector and the College, can ensure a qualified and accountable workforce that is necessary to have a respected, high quality ELCC system in Ontario. Specifically, the College recommends that the Ministry:

1. Strengthen, rather than weaken and dilute, standards of qualifications and accountability across the workforce. In particular, ensure regulatory oversight of individuals working in the place of an RECE under director approval under the CCEYA, short-term supply staff, supervisors, and resource consultants.

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<sup>1</sup> The College’s submission in response to the consultation that informed the five-year review of the CCEYA is available at [https://www.college-ece.ca/en/Documents/CCEYA\\_Review\\_2020.pdf](https://www.college-ece.ca/en/Documents/CCEYA_Review_2020.pdf).



2. Support the best interests of children by ensuring that those in the sensitive developmental period of 0-8 years of age can benefit from the specialized education and training of RECEs.
3. Reconsider the proposed Schedule 2, especially in terms of the risks with combining the infant and toddler age groups.

**Recommendation 1: Strengthen, rather than weaken and dilute, standards of qualifications and accountability across the workforce**

The CCEYA explicitly states that it is a matter of provincial interest to have an ELCC system that “...promotes the health, safety and well-being of children; provides high quality experiences and positive outcomes for children with a provincial framework to guide pedagogy; [and] includes knowledgeable, self-reflective and qualified professionals and staff, including members of the College of Early Childhood Educators....”<sup>2</sup> Global organizations, such as the Organisation for Economic Co-operation and Development (OECD), widely recognize and endorse the academic literature that suggests that the heart of quality in the ELCC sector comes from the leadership, professionalism and specialized knowledge and skills of RECEs.<sup>3</sup>

RECEs are regulated professionals, accountable for meeting specified standards and qualifications in order to practice in Ontario. Preparatory post-secondary education for RECEs includes education and practical training in child development, early learning curriculum and pedagogy, the design of effective and age-appropriate learning environments, communication with families about children’s development, professional development, child health and safety and the duty to report suspicions of child abuse and neglect.<sup>4</sup> RECEs use their knowledge, skills and judgment in these areas to engage families and design, implement, evaluate and adapt inclusive learning and care programs “in order to promote the well-being and holistic development of children”<sup>5</sup>.

**College’s concerns**

The proposals with respect to the staffing and qualifications of the ELCC sector workforce are in direct opposition to the recommendations the College made in its last submission and put the safety, health and well-being of children at risk.

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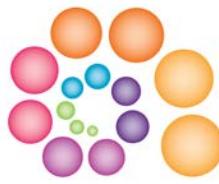
<sup>2</sup> s. 49(1)(b), (c), and (d) of the CCEYA, which is available at <https://www.ontario.ca/laws/statute/14c11>.

<sup>3</sup> As the OECD states, “The ECEC workforce is at the core of the quality of ECEC. Staff and leaders can profoundly shape children’s learning, development and well-being through their everyday interactions.” (p. 100)

OECD. (October 2019). *Providing Quality Early Childhood Education and Care: Results from the Starting Strong Survey 2018*. Chapter 3: Teachers, assistants and leaders and the quality of early childhood education and care. Accessed at [https://www.oecd-ilibrary.org/education/providing-quality-early-childhood-education-and-care\\_301005d1-en](https://www.oecd-ilibrary.org/education/providing-quality-early-childhood-education-and-care_301005d1-en).

<sup>4</sup> More information about the preparation of individuals to become RECEs is in the Ministry of Colleges and Universities’ (MCU’s) most recent standard for early childhood education diploma programs (dated November 2018) available at <http://www.tcu.gov.on.ca/pepg/audiences/colleges/progstan/humserv/51211-early-childhood-education.pdf>.

<sup>5</sup> This expressed focus of early childhood education is established in the scope of practice for the profession in s. 2 of the *Early Childhood Educators Act, 2007* which is available at <https://www.ontario.ca/laws/statute/07e07>.



## **1) Qualifications of the workforce will be weakened, diluted and fragmented, leading to negative consequences and poor outcomes for children and families.**

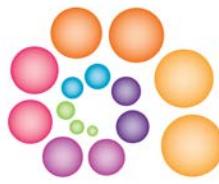
*Proposals B1 and B2* – If implemented, these proposals will increase the number of unqualified staff in the ELCC sector in the place of RECEs. Consequently:

- Children's development and well-being will not be informed by the specialized knowledge, skills and judgment of RECEs.<sup>6</sup>
- Quality programming will suffer because there will not be staff on the team with the:
  - Qualifications to implement programs in a pedagogically and developmentally appropriate manner.
  - Education and practical training that equips them to practice in the complexities and dynamics of the ELCC sector.
- There will be a false appearance of having more qualified employees in the sector. Individuals with these other backgrounds will be counted as "qualified employees" even though they do not have appropriate qualifications to educate and care for the younger age groups and are usually not subject to regulatory accountability.
- Relations with and supports for families will be weakened. These staff will not have formally learned about various community partners and services and their intersection with early childhood education practice.
- Children's health and safety will be at risk. These staff will not have knowledge of the regulatory framework for the sector.
- The academic preparation of future RECEs will be undermined, reducing the number of qualified individuals available to enter the sector. There will not be enough RECEs to supervise and mentor students during field placements as required by post-secondary programs. A decrease in placement opportunities will put downward pressure on the size of cohorts in early childhood education programs. Ultimately, there will be fewer RECE-prepared graduates thereby worsening recruitment challenges.
  - Similarly, RECEs supervise and mentor child development practitioners (CDPs) during apprenticeship. A reduction in the number of RECEs will restrict the number of CDP apprenticeships that can be offered.
  - This outcome is problematic because the CDP apprenticeship program is one pathway for individuals to become RECEs. The CDP "trade" is in the top eight of apprenticeships among mandatory and voluntary trades. Currently, there are 2,300 CDP apprentices and 400 CDP "journeypersons" who voluntarily maintain registration with the Ontario College of Trades (OCOT).

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<sup>6</sup> As the National Academies of Sciences, Engineering, and Medicine discusses, "Care and education professionals are best able to support children from birth through age 8 when they have shared a foundation of knowledge and competencies related to development and early learning across this age span." (p. 13).

National Academies of Science, Engineering, and Medicine. (date not specified). *Child Development and Early Learning: A Foundation for Professional Knowledge and Competencies*. Accessed at <https://www.nap.edu/resource/19401/ProfKnowCompFINAL.pdf>.



- The importance and value of RECE qualifications for children's development and well-being in the short and long term will be fundamentally undermined. There is no other profession in Ontario where individuals without the requisite qualifications can work in the place of the professional. It is not in the interests of children and families to further entrench practices of having non-qualified staff in RECE positions.

*Proposal B1* – It is erroneous to automatically recognize child and youth care (CYC), recreation and leisure (RL), and teaching (OCT) qualifications for younger age groups, particularly 0-8 years, because they are not equivalent fields to early childhood education. Since they are different fields, post-secondary education programs for these fields necessarily have very different focuses than post-secondary education programs for early childhood education.<sup>7</sup>

*Proposal B2* – From the information provided, there will not be any safeguards in place to prevent licensees from continually filling “qualified employee” positions with unqualified employees on an ongoing basis. There is also no indication that the Ministry will support additional education and training initiatives for these individuals to enhance qualifications and competencies. As a result, the development and well-being of children as young as four years of age, and the quality of early learning and care programming, will suffer.

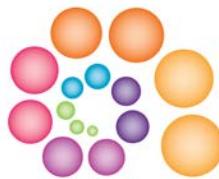
*Proposal B3* – Direct experience in licensed child care is a necessary requisite for supervisor positions. By diluting the experience required, the essential role of supervisors as “gatekeepers to quality”<sup>8</sup> will be undermined. Consequently:

- Programs will be directed and overseen by supervisors who do not have knowledge and experience relevant to operating a licenced child care centre.
  - These supervisors will not be able to establish a strong pedagogical approach in program content and delivery, or support staff in creating developmentally appropriate curriculum and inclusive environments for diverse children and families.
  - Supervisors’ decisions about facilities, human resources, and finances will not be informed by direct knowledge, understanding and experience in the program’s curriculum, pedagogy and learning environment. There will be increased risks that resources, which are already under strain, will not be used in a way that best supports and enhances developmentally appropriate programming in inclusive learning environments.
- The core purposes of the supervisor role will be ambiguous. As reflected in MCU’s standards for graduate certificate programs in early childhood education administration,

<sup>7</sup> MCU’s standards for these college programs clearly indicate that they have a different focus than the standards for early childhood education college programs and do not cover early learning curriculum and pedagogy.

- MCU’s most recent standards for CYC college programs (dated September 2014) are available at <http://www.tcu.gov.on.ca/pepg/audiences/colleges/progstan/humserv/60701e.pdf>.
- MCU’s most recent standards for RL college programs (dated February 2014) are available at <http://www.tcu.gov.on.ca/pepg/audiences/colleges/progstan/humserv/52203.pdf>.

<sup>8</sup> A seminal work by Paula Jorde Bloom explains how child care program supervisors (which she refers to as directors) “are indeed the “gatekeepers to quality,” setting standards and expectations of others to follow.” (p. 142) Bloom, Paula Jorde. (Spring 1992). “The Child Care Center Director: A critical component of program quality”. *Educational Horizons*. 70(3). pp. 138-145.



the supervisor has dual roles of operational management and pedagogical leadership.<sup>9</sup> Removing the requirement for supervisors to have experience in licensed child care programs significantly diminishes the pedagogical leadership role (and eliminates that role altogether for supervisors who are not RECEs).

- Support for the professional growth and development of staff will be further limited. RECEs will have more difficulty to fulfil requirements for continuous professional learning if supervisors do not know from experience the importance of ongoing learning for effective programming. Opportunities for staff, who are not qualified employees, to learn from supervisors will become very limited, which will only exacerbate the negative consequences for quality programming described earlier.<sup>10</sup>

*Proposal B4* – Removing the description of the additional education individuals need specifically for resource consulting practice will make the definition of “resource consultant” defunct. The definition will be no different from the definition of an RECE as a qualified employee.

Consequently:

- Licensees will have no standard for who is qualified to be a resource consultant.
- There will not be a mechanism to ensure that licensees work with appropriately qualified resource consultants. In that case families, children, RECEs and other program staff may not have access to, or benefit from, appropriately qualified resource consultants.
- The expertise afforded by qualifications in resource consulting will be devalued. Weakening recognition of resource consulting as a qualification is contrary to efforts by the Ministry (and other ministries) to recognize and enhance the qualifications of the various practitioners who provide expert services for children with disabilities.

## **2) More individuals entrusted to educate and care for children will be unregulated.**

Problematically, none of the proposals address the fact that while RECEs are accountable to the College, individuals working in the place of an RECE under director approval are not subject to any regulatory accountability. These include individuals working under director approval in the place of an RECE in qualified employee, supervisor, resource consultant, and home child care visitor roles.

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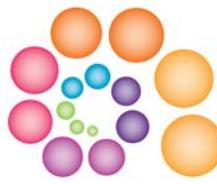
<sup>9</sup> The operational management role includes human resources, financial management, communications, marketing and policy and procedure development and administration. The pedagogical leadership role includes supervising the design, implementation and evaluation of curriculum, programs and services, supporting access to programs and services and advocating for quality inclusive early learning environments.

See p. 6 of MCU's most recent standards for these programs (dated November 2018) available at <http://www.tcu.gov.on.ca/pepg/audiences/colleges/progstan/humserv/71212-earlychildhood-education-administration.pdf>.

See also:

- Douglass, Anne L. (2017). *Leading for Change in Early Care and Education: Cultivating Leadership from Within*. New York: Teachers College Press.
- Rodd, Jillian. (2013). *Leadership in Early Childhood: The pathway to professionalism*. 4<sup>th</sup> edition. New York: McGraw Hill Open University Press.

<sup>10</sup> Bloom, p. 142. Bloom refers to a study where it was “found that the program director has a strong impact on the variety and sources of information available to caregivers, particularly those with limited or no training in early childhood education”.

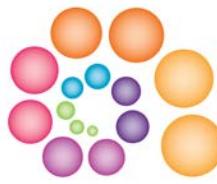


This gap in accountability – where RECEs as qualified employees are regulated while those who are approved to work in their place are not – will widen and deepen if proposals B1 and B2 are implemented.

- CYC and RL practitioners are currently not regulated yet will be “qualified employees”. They will not be held accountable to meet standards for qualifications, professional practice, ethical conduct or ongoing professional learning.
- While teachers are regulated, they are not regulated specifically for practice in ELCC settings and are not required by regulation to participate in ongoing professional learning and education. These gaps in accountability will continue.
- Short-term supply staff will not be regulated yet will be working in “qualified employee” positions. Problematically, there is no requirement or incentive in proposal B2 for licensees to even attempt to fill supply roles with RECEs (i.e., qualified employees) first before turning to non-RECEs. Relying on non-RECEs should be the exception of absolute last resort and not the norm for filling supply positions. With such an open-ended supply system, there will be great opportunity for licensees to “game” the system by simply rotating unqualified staff through positions meant for qualified employees.

The College appreciates the government’s concern for “regulatory burden”, however, regulation is a safeguard, not a burden where the welfare of children is concerned. Children’s safety, health and well-being are directly at risk when there is no regulatory oversight of the individuals who educate and care for them.

- Any misconduct by unregulated individuals will be able to occur and continue unchecked. Such misconduct could include inappropriate behaviour guidance, abuse in all of its forms (including sexual abuse), and racist remarks or behaviour.
  - The proposals contradict and undermine the government’s recent efforts to increase standards and protection for children in relation to regulated professionals, such as RECEs and teachers. The proposals will drastically increase the number of individuals who are responsible for the care and learning of young children yet not subject to any professional oversight whatsoever. None of the individuals who are unregulated are accountable for practising according to ethical and professional standards for practice and conduct.
  - Without accountability and regulatory oversight, unregulated individuals who engage in egregious conduct can move to different centres, which increases harm to an even greater number of children.
- Individuals who are not regulated are not required to engage in ongoing professional learning, which is necessary for quality programming.
- Families will remain confused about why the College can investigate complaints about RECEs but not about any other individuals working in the sector. Families want and deserve the opportunity to raise concerns about an individual’s safe, competent, professional and ethical practice no matter the position in which they are employed.
- There is no source of publicly-available information in relation to unregulated individuals, which families and employers can use to make informed decisions about entrusting children to their education and care.



Finally, looking at the proposals in Section B overall, it is concerning that:

- There is a lack of clarity about what specific problems the individual proposals are intended to address.
- There is no rationale provided as to how the proposals are in the interests of children and families, or about how the proposals will support quality in the ELCC sector across Ontario.
- As presented, none of the proposals do anything to “support workforce retention” in the long-term, which the Ministry identifies as a key objective.

With a diluted and fragmented early childhood education workforce, long-standing systemic issues will be exacerbated. Workforce stress will heighten due to a lack of management and staff with appropriate and relevant knowledge, skills and judgment and accountability for safe, competent, professional practice. Ultimately, children and families will be short-changed of early learning and care programs and experiences needed for positive outcomes in their development and well-being. And there will be greater risks to children’s health and safety.

#### Recommended actions

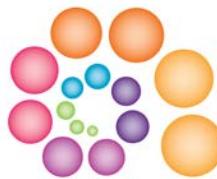
**To address the concerns and prevent the consequences described above, the College recommends that the Ministry:**

1. **Not proceed with the proposed changes, and instead,**
2. **Work with the College to establish a framework that requires, at minimum, that individuals working under director approval under the CCEYA, supervisors, and resource consultants be regulated by the College.**

The College envisions that individuals working under director approval under the CCEYA, supervisors, and resource consultants would be registered with the College in their own membership group. As with RECEs, the College would hold members of each group accountable for:

- Meeting standards of qualification specific to their role.
- Adhering to standards for competent practice and ethical and professional conduct.
- Participating in continuous professional learning.
- Taking responsibility for addressing poor practice or inappropriate conduct, including by participating in the College’s complaints and discipline processes where appropriate.
- Being included in a register, where their registration history can be accessed by families, colleagues, employers, and the public.
- Maintaining their registration with the College in good standing.

Importantly, through regulation by the College, standards of qualification, practice, continuous professional learning and conduct for each group would be established and made consistent across the province.



As the regulator for RECEs in Ontario, the College is well positioned to also regulate other practitioners in the ELCC sector and is open to partnering with the Ministry to explore opportunities related to the qualifications and regulatory standards for all practitioners in the ELCC sector.

**Recommendation 2: Support the best interests of children by ensuring that those in the sensitive developmental period of 0-8 years of age can benefit from the specialized education and training of RECEs**

College's concerns

The College is concerned that the proposed amendments would re-focus RECEs' practice on children 0-4 years of age only. RECEs are specifically trained to respond to and support children up to and including age 12. Research demonstrates that sensitive developmental periods extend to at least age 8.

Individuals without RECE education, including CYC and RL practitioners, do not have the appropriate qualifications to provide pedagogically and developmentally appropriate education and care for children four years and older.

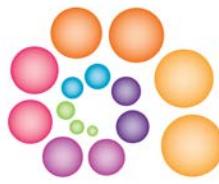
There will be consequences to the education and development of children 4-8 years of age if they cannot benefit from education and care by RECEs. The individuals that would fill these roles would **not** have the necessary knowledge and skills:

- Regarding children's cognitive, social, emotional and physical needs, which will pose risks to children's health and safety.
  - These individuals will not be in a position to help children with self-regulation, manage early childhood stress and mental health, address bullying and/or exclusion, include children with disabilities in programming, make decisions about appropriate risky play, approach sensitive topics such as sexual health and racism, etc.
- To build and maintain positive, caring and responsive relationships with diverse children.
- To communicate and engage with families about children's development and well-being.
- To be able to ground all practice in early childhood pedagogy (e.g., *How Does Learning Happen?*), curriculum and theories.
- To engage in critical reflection, exercise sound professional judgement and ethical decision-making.

Recommended actions

To address the concerns described above, the College recommends that the Ministry:

1. Not proceed with the proposed changes to recognize other qualifications for age groups other than licensed primary or junior school age groups,



2. Not proceed with the proposed change to limit RECEs' practice to children 0-4 years of age, and instead,
3. Focus the practice of RECEs on children 0-8 years of age.

Taking these actions would:

- Address the concerns described above.
- Ensure that Ontario's ELCC sector is consistent with evidence and experience in the field where RECEs' practice is focused on children 0-8 years of age.<sup>11</sup>
- Provide the Ministry with the time and space needed to clearly define the purpose and expectations of programs serving children 9-12 years of age. In particular, for the Ministry to determine if programs for this age group focus on education and care, or instead on recreation and skill building similar to sports clubs or camps. Based on that purpose, consideration can be given to which provincial ministries or municipal governments are most appropriate to oversee them.

**Recommendation 3: Reconsider the proposed Schedule 2, especially in terms of the risks with combining the infant and toddler age groups**

**College's concerns**

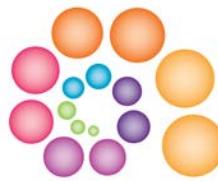
RECEs have professional obligations related to supervision, safety and the delivery of developmentally-appropriate education. The proposed age ranges may impede RECEs in meeting the developmental needs of these children, especially the needs of infants and toddlers. For example:

- There is a significant range of development capacities and needs between infants and toddlers (e.g., nuances of non-verbal and early verbal communication, physical abilities, personal care needs).
- With the diversity in development needs there is a risk to be more transactional rather than relational, which impacts brain development (e.g., ability to maintain eye contact, attend to personal care).
- If the needs of these very young children are not being adequately met, the additional environmental stress (e.g., staff burnout and absenteeism) can negatively impact children's experience and development (e.g., infant mental health).

**Recommended actions**

<sup>11</sup> International reports explain the importance of RECEs' to the development of children 0-8 years of age, such as:

- Institute of Medicine of the National Academies. (April 2015). *Transforming the Workforce for Children Birth Through Age 8: A Unifying Foundation (Report Brief)*. Accessed at [https://www.nap.edu/resource/19401/BirthtoEight\\_brief.pdf](https://www.nap.edu/resource/19401/BirthtoEight_brief.pdf).
- National Academies of Science, Engineering, and Medicine, (date not specified).
- OECD's Network on Early Childhood Education and Care. (2015). *Early Learning and Development: Common Understandings*. Accessed at <http://www.oecd.org/education/school/ECEC-Network-Common-Understandings-on-Early-Learning-and-Development.pdf>.



**Given the concerns described above, the College recommends that the Ministry reconsider the proposed Schedule 2, especially the combining of infants and toddlers into the same group.**

Based on the proposals, there is no assurance that mechanisms will be in place to support children's development or to properly manage and mitigate risks to children's safety and well-being and to the quality of care and learning that are provided.

These concerns and recommended actions also apply to the proposed overlapping age boundaries for licensed age groups/categories set out in discussion question 3 of the consultation document.

### **Conclusion**

To have an ELCC system that is of high quality, it is imperative to have a qualified and accountable workforce. As noted by the OECD, "There is a general consensus, supported by research, that well-educated, well-trained professionals are the key factor in providing high-quality [early childhood education and care] ECEC with the most favourable cognitive and social outcomes for children."<sup>12</sup>

The College would be pleased to work with the Ministry to develop a provincial definition of quality in early years and child care programs, and in the planned review of *How Does Learning Happen?*.

We trust that you will find this feedback useful and would be pleased to address any questions related to this response and participate in further discussions on the matters raised herein.

Sincerely,

Beth Deazeley  
Registrar and CEO  
College of Early Childhood Educators

Stacey Lepine  
President  
College of Early Childhood Educators

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         Strategic Policy and Planning Division  
         Ministry of Education

Phil Graham, Assistant Deputy Minister  
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<sup>12</sup> OECD. (2012). *Starting Strong III: A Quality Toolbox for Early Childhood Education and Care*. OECD Publishing. p. 144. Accessed at [http://www.oecd-ilibrary.org/education/starting-strong-iii\\_9789264123564-en](http://www.oecd-ilibrary.org/education/starting-strong-iii_9789264123564-en).