

Information for School Boards

Child Care and Early Years Act, 2014 (CCEYA): Space Sharing for Programs Serving Children Aged 44 Months and Older in Publicly-Funded Schools

The *Child Care and Early Years Act, 2014 (CCEYA)* and O. Reg. 137/15 will be proclaimed on August 31, 2015. After August 31, 2015, licensed child care programs serving children aged 44 months and above in publicly-funded schools will follow a new process for licensing spaces shared with schools for before- and/or after-school programs.

The new, more flexible process for licensing shared spaces will support operators and school boards in building more collaborative relationships, better managing the use of shared spaces and relocation requests from year to year, and working toward a more seamless day for children.

Highlights of Key Licensing Requirements and Processes under the CCEYA (s.75):

The following changes will be implemented for new licence applications and licence revision requests, where applicable:

- Operators may use playgrounds that are also used by the school without Ministry approval.
- For licensing requests involving rooms or spaces used by children aged 44 months and older for before and/or after school programs, the Ministry will not require operators to provide all municipal approvals.
 - For new licence applications, municipal fire, building and zoning approvals are not required, however, applicants are required to provide written health approval.
 - For licence revisions, municipal fire, health, building and zoning approvals are not required. It is recommended that operators consult with their local public health unit and implement any requirements/ recommendations made by the public health authority. The school's Fire Safety Plan must still be updated to reflect any changes as required by municipal Fire Services resulting from a child care licence revision.
 - Once the program is licensed, the operator will still be required to have access to the records of all before- and after-school fire drills, all tests of the fire alarm system and all tests of fire protection equipment, as well as records of water tap flushing and test results for lead in drinking water.
 - Where construction or renovation is taking place in shared spaces, since written approval from the municipal building authority is no longer required for licensing, an email from the principal or designate to the Ministry program advisor confirming that the entire building and/or specific leased room(s) have been approved by the school board's health and safety officials as ready to open (with an effective date) is sufficient.
- Rooms or spaces used by children aged 44 months and above must have at least 2.58 m² of unobstructed floor space per child, subject to the following:
 - At the discretion of the Child Care Quality Assurance and Licensing regional manager (as a director under the CCEYA), approval may be granted on a licence to allow the use of *any* available rooms/spaces as agreed upon with the school board, as long as the rooms/spaces

used by the licensed age group are also used by the school for children of the same age group. (Where mixed age approval is granted, the age group identified in the licensed capacity will be used to determine the age group of the room to be used).

- When granted on a licence, this approval also permits the use of rooms or spaces that have less than 2.58m² of unobstructed floor space per child.
 - Child care programs can operate in a combination of rooms or spaces to permit program flexibility, e.g. access to a classroom for focused activities and access to a gymnasium for gross motor activities if there is a *shared space confirmation* in place (see below for definition). Consideration should be given to allow the use of spaces that will promote active and quiet play and that will meet the varied needs of children.
- While the regulation does not require designated space for the storage of hazardous materials and equipment, it is expected that school boards and child care operators will work together to ensure that safe storage space is available for the child care program.

New Requirement for School Boards - Shared Space Confirmation:

Operators will not be required to notify the ministry every time they change rooms, as long as the above requirements are met and a *shared space confirmation* is established and maintained with school boards. Once it is established, the *shared space confirmation* must be kept up-to-date and on site at all times.

A *shared space confirmation* is a document that identifies all of the rooms and spaces available in each school that the school board has approved for use by before- and/or after-school child care programs. It must include a description of the primary use of the rooms/spaces by the school and be signed by a school board representative, such as a school principal. As part of the shared space confirmation, the school board is not required to confirm the maximum number of children that may use a room/space for child care purposes.

Once established, operators may use any of the rooms identified on the shared space agreement for their before- and/or after- school programs, subject to availability, as long as the rooms or spaces being used by the licensed age group are also used by children of the same age in school.

Examples of an acceptable *shared space confirmation* include:

1. a complete list of available play activity rooms/spaces in a school established by the operator (a Ministry template is available);
2. a complete list of available rooms/spaces in one or more schools provided by the school board;
3. a school floor plan signed by a school board representative and that includes all required information regarding the primary use of the spaces by the school; or
4. an official space sharing agreement, such as a lease agreement.