

Ministry of Education
Early Years and Child Care
Division

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Ministère de l'Éducation
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MEMORANDUM TO: Early Years and Child Care Partners
Child Care Licencees
Consolidated Municipal Service Managers and District Social
Services Administration Boards
First Nations Child Care Supervisors
District School Boards

FROM: Early Years and Child Care Division

DATE: July 9, 2018

SUBJECT: **Implementation of Regulatory Changes under the
*Child Care and Early Years Act, 2014***

Dear Early Years and Child Care Partners,

As you are aware, the ministry filed regulations March 1, 2018 under the *Child Care and Early Years Act, 2014* (CCEYA). A number of new and amended regulatory provisions came into effect on March 1. This is to inform you that, in addition to those provisions, there are a number of regulatory changes that came into effect July 1, 2018.

As you know, proposed regulatory changes posted on the Ontario Regulatory Registry website for public comment from October 2, 2017 until December 1, 2017. Many of these changes have been informed by feedback from the early years and child care sector. Through this engagement process, the ministry received over 160 submissions from parents, municipalities, licensees, school boards, recreation partners, advocacy groups and professional associations, registered early childhood educators, and individuals. Thank you to all of the stakeholders and partners that provided feedback during this process.

These changes have been made under the authority of the CCEYA. I encourage you to read through, and familiarize yourself with the new regulatory provisions.

[Ontario Regulation \(O.Reg.\) 137/15: GENERAL](#)

[Ontario Regulation 138/15: FUNDING, COST SHARING AND FINANCIAL ASSISTANCE](#)

The regulatory changes effective July 1, 2018 are focused on 5 key areas:

1. Administrative and record keeping requirements;
2. Enforcement provisions;
3. Requirements for authorized recreational and skill building program providers;
4. Funding regulations, to align with existing funding policies and practices;
5. Technical provisions, including language updates.

The following regulatory amendments are now in effect as of **July 1, 2018**:

- Serious occurrences, records retention (Section 38(1)(d) of O. Reg. 137/15)
- Federal legislation for cribs, cradles and playpens (Section 19(2)4 and 27(3)(1) of O. Reg. 137/15)
- Medical officer of health direction (Section 32(1) of O. Reg. 137/15)
- State of play material, equipment and furnishings (Section 19(3) and 27(4) of O. Reg. 137/15)
- Extending prohibited practices to individuals other than licensees (Section 48 of O. Reg. 137/15)
- Changes to administrative penalties (Section 78, Table 1 of O. Reg. 137/15)
- Expansion of offence provisions (Section 34(1) and Section 35 of the Act)
- Clarification for authorized recreational programs (Section 3.1(2)(iii)(iii.1) of O. Reg. 137/15)
- Funding for authorized recreational and skill building programs (ss. 6(1) and Section 6(1)8 of O. Reg. 138/15)
- Funding for extended day programs (Section 6(1) of O. Reg. 138/15)
- Language update for “child and family programs” (all relevant regulatory references in O. Reg. 137/15 and O. Reg. 138/15)
- Director approval for first aid requirements for resource teachers (Section 55(2) of O. Reg. 137/15)
- Requirements for students in policies and procedures (Section 49(a) of O. Reg. 137/15)
- Provision of child care services etc. for children with special needs (Section 28 clause (a) and (b) of O. Reg. 138/15)
- Language update for professional engineers (Section 1 of O. Reg. 138/15 and other relevant regulatory references)
- Statements on immunization (Section 72(1)8 of O. Reg. 137/15)
- Removal of wage subsidy reference (Section 1 of O. Reg. 138/15)

Additional Resources

To support our early years and child care partners coming into compliance with the new/revised regulatory requirements, the ministry has updated the Before-and-After School Program (Kindergarten to Grade Six) Policies and Guidelines, and the Authorized Recreational and Skill Building Program Resource.

[Before-and-After School Programs \(Kindergarten to Grade 6\) – Policies and Guidelines for School Boards](#)

[Authorizing Recreational and Skill Building Programs: A Resource for Service System Managers](#)

Child Care Licensing Resources

To support understanding and implementation of the new regulations, updated child care centre and home child care agency licensing manuals are available. The updates reflect the recent regulatory changes.

The updated licensing manuals can be downloaded at the following link:

Child Care Centre Licensing Manual: [Child Care Centre Licensing Manual \(July 2018\)](#)

Home Child Care Agency Licensing Manual: [Home Child Care Agency Licensing Manual \(July 2018\)](#)

Within the manuals, updates are identified with an asterisk (*).

The ministry has also created a Before-and-After School Licensing Guideline that provides a summary on how to operate a licensed before- and- after school program. This resource is intended to be used with the Child Care Centre Licensing Manual, which offers additional information for each licensing requirement.

The Before-And-After School Licensing Guideline can be found at the following link: [Before-and-After School Program Licensing Guideline](#)

Licensing Kit

As you may be aware, the ministry has developed a comprehensive Licensing Kit, which includes sample policies, templates and tip sheets intended to support compliance with licensing requirements.

A variety of new documents are now available as part of the Licensing Kit, including a child care centre floor, site and playground plan checklist, a sample enrollment form, and an individualized support plan template. The new set of documents are available for download at the following link: [Licensing Kit \(Sample Policies and Procedures\)](#)

Although use of the Licensing Kit is not mandatory, licensees are encouraged to adopt and/or consult the documents as they become available to support compliance with licensing requirements.

Thank you again for your hard work and dedication to support the child care and early years system. We look forward to our strong and ongoing partnership.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. B. A.', is located at the bottom left of the page.

Jeff Butler, Director
Early Years and Child Care Policy Branch
Early Years and Child Care Division

A handwritten signature in cursive script, appearing to read "H. Moran".

Holly Moran, Director
Child Care Quality Assurance and Licensing Branch
Early Years and Child Care Division