

Baby's death puts home child-care regulations under microscope

[1]

Author: Poisson, Jayme and Dempsey, Amy

Source: Toronto Star

Format: Article

Publication Date: 8 Jan 2011

Excerpts:

The death of a 14-month-old girl and the arrest of her daycare operator has child-care advocates raising concerns about the regulation and monitoring of private home daycares.

The owner of April's Daycare, charged Friday with second-degree murder after the death of Duy-An Nguyen, was operating an unlicensed child-care business out of her Mississauga home.

It's perfectly legal to run an unlicensed daycare in Ontario so long as the caregiver is minding five or fewer children -- not including their own -- under the age of 10.

But critics say there is no way to properly monitor what goes on in these homes, and the only way to know if someone is breaking the rules is if a complaint is made against them.

....

The Mississauga tragedy began just after 4 p.m. Wednesday when police received a 911 call from a home on Asta Dr.

Paramedics rushed Duy-An Nguyen to a local hospital. The child was transported to Sick Kids where, two days later, she was taken off life support.

April Luckese, 35, was first charged Wednesday with aggravated assault endangering a life. She appeared in court on Thursday, and was released on \$15,000 bail.

Following Duy-An's death on Friday, Luckese was arrested again at her home and later charged with second-degree murder.

As two Peel police detectives led her from the townhouse where she runs her daycare, Luckese hid her face with the hood of a blue ski jacket.

She was held by police overnight and is expected to appear in a Brampton bail court on Saturday.

It's not clear what happened to Duy-An at April's Daycare. One police source told the Star the child couldn't be woken up from a nap.

The executive director of Kiddie Kare Inc., a licensed agency that trains and monitors child-care workers, confirmed that it dropped April's Daycare in 2007 because it exceeded the number of infants allowed, even after a warning.

"April was able to get all these babies and I couldn't have it," said Janice Luckese, who said she is a distant cousin of April Luckese, through marriage but hasn't had any contact with her in years.

Luckese has been operating as an unlicensed child-care provider ever since, Janice said.

One neighbour, who didn't want to be named, said she interviewed Luckese four months ago when she was seeking child care for her 1-year-old son.

The neighbour was impressed with Luckese, who she says had her early childhood education certification and 15 years of experience. But when it came down to it, she took her son elsewhere.

"She just had way too many kids," said the neighbour, who remembers Luckese was already looking after five children under the age of 3 at the time.

"When I see her walking sometimes she has a quad stroller, four children in there, and two or three walking beside her."

....

There are about 70 licensed home child-care agencies, like Kiddie Kare, in the province. Other examples in Mississauga include Family Day Care Services, Wee Watch and Caring for Kids.

The government gives licences to agencies, not individuals. When individuals work under those agencies, they're considered licensed and must follow the province's Day Nurseries Act -- and more stringent rules.

Licensed child-care providers can care for no more than two children under 2 years, and three under 3 years. Unlike with private operators, this includes their own children.

"It's what an individual could probably handle," said Flaherty.

Flaherty said she would prefer all child-care providers be licensed but, since they aren't, she doesn't understand why the Day Nurseries Act only applies to licensed child care in Ontario.

"The regulations have been developed for a reason. Why wouldn't we just assume that those regulations should be the same in the private or agency sector?"

Education Minister Leona Dombrowsky said the issue is more nuanced. Just because an individual is providing unlicensed child care in their home, she said, doesn't mean the quality of care is less.

"I am aware of people who provide services for families who are not licensed and the families have reported to me that they're very satisfied with the care," she said, adding that the onus of ensuring good practices are in place belongs to the parents.

"It's very important for parents to pay some attention to the service that they engaged for providing care for their children," she said.

When asked why unlicensed caregivers aren't subject to the same restriction of no more than five children set out in the Day Nurseries Act, Dombrowsky said: "There is always some debate in our communities about what the right number is.

"Our government has been very firm in the position that five is the right number. We still allow families that choice to engage in regulated or non-regulated service."

The business of regulating those who look after our children is tricky.

Grandmothers look after family members, at times for money. And neighbours build trusting relationships, said Dombrowsky, adding that in small communities it would be harder for those wanting to care for children in their homes to find a licensed agency.

For Flaherty, the issue isn't family and friends, but individuals opening their homes to strangers and advertising on the Internet.

"If you're actually opening your home for business then I think we need to think about regulating standards which are there for safety," said Flaherty.

In a pre-Christmas version of the April's Daycare website, the operator described herself as a "mother of two boys offering child care in my home. Safe, loving and nurturing home environment, over 15 years experience working with kids.

"CPR and First Aid certified. Smoke free home. Nutritious (sic) lunch and snacks provided. Fully fenced yard with sand box, slide and many other toys. References available."

April's Daycare charged \$700 per child (the term wasn't stated) and had openings for infants and toddlers. Children up to kindergarten age were accepted.

....

Had April Luckese stayed on with Kiddie Kare past 2007, she would have been subject to monthly unannounced visits from a trained home visitor. Janice said the agency will visit more often if there are concerns.

Money also plays a factor in private child care, said Janice.

"They can charge whatever they want, more or less," she said. "Whatever the market allows."

....

Dombrowsky noted government subsidies are available for lower income families looking for licensed child care.

But Janice said there simply isn't enough money to go around.

....

- reprinted from the Toronto Star

Region: Ontario ^[2]

Tags: quality ^[3]

legislation and regulation ^[4]

unregulated ^[5]

Source URL (modified on 27 Jan 2022): <https://childcarecanada.org/documents/child-care-news/11/01/babys-death-puts-home-child-care-regulations-under-microscope>

Links

[1] <https://childcarecanada.org/documents/child-care-news/11/01/babys-death-puts-home-child-care-regulations-under-microscope> [2]

<https://childcarecanada.org/taxonomy/term/7856> [3] <https://childcarecanada.org/category/tags/quality> [4]

<https://childcarecanada.org/category/tags/legislation-and-regulation> [5] <https://childcarecanada.org/category/tags/unregulated>