# Ontario tightens rules governing unregulated daycare [1]

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**Source:** Toronto Star
**Format:** Article
**Publication Date:** 3 Dec 2013

EXCERPTS

Ontario is tightening provincial rules governing unregulated daycare businesses and throwing the book at those that flout the law.

Under the Child Care Modernization Act, being introduced Tuesday, the province would be able to immediately close a daycare where children are at risk.

In addition, the act would allow ministry officials to levy penalties of up to $100,000 per infraction against caregivers running illegal daycares.

Maximum fines would rise from $2,000 to $250,000 under the proposed act.

If the legislation is enacted, ministry officials would no longer have to go to court to issue fines or shutter an illegal daycare.

"When parents drop their children off for child care, they want to know they're in a safe nurturing environment, regardless of whether they are in licensed or unlicensed care," Education Minister Liz Sandals said in a statement.

"They also need to know that the government will be able to intervene when a child's safety is at risk," she said.

The proposed legislation would also take away the financial incentive of remaining unregulated. Under the act, anyone providing care for more than five children under age 10 - including their own children - would require a licence.

It means unregulated caregivers will no longer be able to exclude their own children in the maximum number of kids allowed, Sandals said in an interview.

Unregulated caregivers would be further restricted by being able to care for only two children under age 2, as is currently the law for regulated home daycares.

If approved, the new legislation will also close a 1993 loophole that has allowed private schools to operate pre-schools without a daycare license.

Currently these programs operate without any rules in stark contrast to licensed daycare centres which must follow strict health, safety and programming rules and are inspected annually.

To signal the province's support for licensed care, the proposed legislation would increase the number of children allowed in regulated home daycares from five to six children under age 10, as "they are the ones being regularly monitored," Sandals said.

The increase is in line with what several other provinces allow, including Quebec, she said.

The new legislation, which runs to more than 100 pages, also clarifies many "gray areas" in the current rules around what type of care has to be licensed.

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- reprinted from the Toronto Star
**Region:** Ontario [2]
**Tags:** legislation and regulation [3]
unregulated [4]

**Source URL (modified on 27 Jan 2022):** https://childcarecanada.org/documents/child-care-news/13/12/ontario-tightens-rules-governing-unregulated-daycare
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