

The proposed regulatory changes under the DNA and ECEA to support the Government of Ontario's Child Care Modernization Agenda

Feedback from the County of Wellington, Child Care Services

The County of Wellington Child Care Services is pleased to have the opportunity to provide feedback on the proposed regulatory changes that are intended to support the child care modernization agenda.

We are encouraged that the Government of Ontario is looking to make important changes to the *Day Nurseries Act* (DNA) which can, as Dr. Charles Pascal recommended, enable the outcomes he noted in his report *With Our Best Future in Mind*. The right changes to the DNA can reduce redundancies in the existing early childhood services system, eliminate outdated legislation, and facilitate a single integrated piece of legislation.

In relation to the regulatory changes, we received feedback from local child care programme operators and our Child Care Services' administrative teams and would like to share with you the knowledge we have drawn from our collective experiences.

Qualified Early Childhood Educators are the Education in Child Care

There are several proposed regulatory changes that we agree will be better for children and for licensed child care; however, we strongly object to any regulatory or legislative actions that will reduce the proportions of early childhood educators to unqualified staff in licensed child care.

Our local child care operators, despite facing some deep challenges in maintaining the viability of their programmes, still agreed that the proposals for reductions in qualified early childhood education staff in licensed child care is an undesirable compromise in these regulations. It is a compromise that does not help to get at the root-cause of an inadequate supply of qualified early childhood educators in Ontario. The concern is that an inadequate supply of qualified educators combined with proposed larger group sizes and potentially unreasonable ratios, will put undue pressure on the fewer qualified staff in child care programmes, causing burnout and destabilizing the sustainability of their child care programmes.

As municipal service system managers, we view the results of the three OECD *Starting Strong* international reviews of early childhood education and care (2001, 2006, & 2012) and the recommendations of the *Best Start Expert Panel on Quality and Human Resources* (March, 2007) as evidence that system level accountability for quality in early childhood education and care environments includes highly regulated structural quality elements such as good ratios, small group sizes, and appropriate staff qualifications. The confounding, combined impact of 1) ratio flexibilities, 2) group size increases, and 3) reductions of qualified early childhood educators in the classroom will make achieving high quality pedagogy difficult and will move licensed child care in Ontario *away* from what the research tells us is good for children.

Allowing for *fewer qualified early childhood educators in licensed child care* gives Ontario's citizens a message that good pedagogy can happen in licensed child care with fewer qualified ECEs.

This message:

- defeats the decades of intense work that went into the *Early Childhood Educators Act 2007* and the development of the College of Early Childhood Educators
- contradicts the work of the *Best Start Expert Panel on Early Learning* that was composed of several of the most respected academic researchers in early childhood pedagogy in all of Canada who had the government-appointed task of developing a guide to support curriculum and pedagogy in early childhood programmes across Ontario
- counters the efforts that have been taken by a number of Ontario Community Colleges that have expanded their early childhood education diploma programmes to offer a four year early childhood education degree programme.

Inclusivity of children with disabilities and special needs in licensed child care will suffer too. Pan-Canadian research verifies that there are strong, multifaceted connections between early childhood educator qualifications, experience, skill, and commitment levels and their ability to effectively support and include children with disabilities and special needs in child care (Irwin, Lero, Brophy, 2004). As child care quality diminishes because of fewer early childhood educators, ratio flexibilities, and group size increases, it will be inevitable that child care programmes will hesitate to include children they feel they lack the skills and capacity to support. Families of children with disabilities and special needs will once again be required to seek out alternative care arrangements or face conditions with respect to their child's participation in licensed programmes (e.g., only when qualified staff are on hand, part time attendance, higher expectations of parental involvement in the programme). Consequently, the modest advances that families of children with disabilities and special needs have experienced in terms of more equitable access to licensed child care programmes in Ontario will disappear.

Quality Needs to Come First

The County of Wellington has implemented a quality assurance tool for child care and has funded the Quality Child Care Initiative since 2009. We have analysed data from three phases of quality evaluations of every licensed for-profit and non-profit child care programme that has a purchase of service agreement with us. Our data represents 84% of all licensed programme sites in our area and includes details on licensed child care programmes that are small, large, rural, urban, part time, school age, full time, multi-site, single-site, non-profit, and for-profit.

The patterns from the quality evaluations show that child care programmes struggle to make improvements to their quality levels that are sustainable over time. Despite efforts made to ensure professional development, quality consultations, networking, and resources are available locally at no cost (or, very low cost) for all interested ECEs, supervisors, home child care providers and other child care programme staff, the County of Wellington's evaluations show that child care programmes tend to stay stuck at the same quality level over time.

The changes that child care programme operators make to address the problems identified by our quality evaluations tend to be those that require the least financial, physical, human, or time-demanding resources. Under the current system, it is difficult to hold child care programmes fully responsible for sustainable changes to their programmes. Operators can make decisions that nudge programmes forward in quality levels (such as improving staff wages, providing paid planning time, and supporting staff engagement in professional development) but they are lacking the financial resources to do so in a consistent way. The outcome is child care programme quality levels remain stagnant.

Highly regulated structural quality elements alone offer no guarantee that early childhood environments will be high quality. Nor do structural quality elements guarantee high quality pedagogical practice that has a lasting impact on children's healthy development, learning, and well-being. However, weakening the standards for child care programme operation without intense policy consideration given to child care system governance, financing, and pedagogy will compromise the system and little will be achieved for early childhood education and child care quality.

Modernization Requires a Legislative and Policy Framework

Licensed child care is the one and only early childhood context where Ontario legislation has complete dominion over how early childhood educators practice. It is only in licensed child care that the province of Ontario can hold child care operators, by virtue of their license, to regulatory elements associated with who works in licensed child care. This is not to suggest that highly qualified early childhood educators need to be told how to practice by the regulations. When qualified, reflective, responsive educators are able to work in child care programmes that meet their professional needs (including all of the following: living wage, paid planning time, adequate paid sick time, professional development, etc.), they have the foundation they need to be competent at working with children in complex and professional ways that lead to profound pedagogical experiences that have a lasting impact on children's healthy lives.

Emphasizing pedagogy is important. The provincial materials for pedagogical guidance have been influenced by examples of effective pedagogy from around the world (e.g., Sweden, New Zealand, Reggio Emilia). The countries and regions with some of the most effective early childhood pedagogical frameworks also have comprehensive policy infrastructures for their early childhood systems. These international leaders have high standards of training, remuneration, and ongoing professional development for their early childhood educators. In addition, there is little variability in how child care programmes are governed or operated among these leaders. Without similarly high standards and solid infrastructure development for licensed child care in Ontario, effective and inclusive pedagogy will not happen.

Without a strong, consistent policy framework that sets out clear operator and municipal system management expectations where it matters most, we consider some of regulations that are proposed to be potentially deleterious to the child care system. This will negatively impact children, their families, and their early childhood educators. On the other hand, with a strong and consistent policy structure that sets out clear operator and municipal management expectations, the *Child Care Modernization Act*,

2013 and the changes to regulations might be reasonable and progressive; but they need to function within a very strong policy context.

We fear that the great potential that the proposed Act holds will not be realized unless critical details in the regulations are rectified. To proceed with implementing these regulations *without* the *Child Care Modernization Act, 2013* and *without* a more developed, stronger policy structure and framework, *Bill 143* will not be the modern legislation that fulfills a long-awaited vision of a comprehensive, integrated early childhood system that better serves children, families, and early childhood educators.