

## Licensing Information

The *Child Care and Early Years Act, 2014* (CCEYA) is the law governing child care in Ontario. The CCEYA applies to a number of programs including licensed child care centres; authorized recreational and skill building programs; camps and EarlyON child and family centres.

The information outlined below is intended to provide a summary only of the major aspects of the regulations of the Licensing Requirements. If clarification or interpretation is required about the specific wording of the Licensing Requirements, advice from the Ministry of Education should be considered. Please note that this Appendix is not intended as a substitute for the legislation. Reference should be made directly to the CCEYA and its regulations.

### Licensee Responsible

The licensee who is issued a licence is responsible for the operation and management of the child care including the program, financial, and personnel administration. The licensee may appoint someone to act on his/her behalf. Every child care program shall have a supervisor who plans or directs the child care programming, oversees the children, and is responsible for the staff of the childcare. The licensee will ensure that the policies, procedures and individualized plans are always implemented. Every licensee will ensure that there are policies and procedures for monitoring compliance and contravention. The licensee will provide access to families to their child and premises unless the parent is danger to the child or staff. Every parent or guardian who pays a childcare fee will receive a receipt stating what they paid free of charge.

### Ratios and Group Size

Every licensee shall ensure that children are placed in groups according to their age categories set out in Schedule 1. The licensee must ensure the approved ratio of employees to children, maximum number of children in each group and the proportion of employees that must be qualified in each room. Mixed age grouping may be approved by the Director. The ratios between employee and children may be reduced 90 minutes from the start of the program and 60 minutes before the program ends and at rest periods. The reduced

ratio shall not be less than two thirds of the required ratio. Both mixed age grouping and reduced ratios does not apply to the infant program room.

## Schedule 1

<b>Number of age category</b>	<b>Age range of age category</b>	<b>Ratios of employees to children</b>	<b>Maximum number or children in group</b>
Infant	Younger than 18 months	1:3	10
Toddler	18 months or older but younger than 30 months	1:5	15
Preschool	30 months or older but younger than 6 years	1:8	24
Kindergarten	44 months or older but younger than 7 years	1:13	26
Primary/Junior School age	68 months or older but younger than 13 years	1:15	30
Junior School age	9 years or older but younger than 13 years	1:20	20

## Building, Equipment and Playground

For the purposes of building and accommodation requirements, before- and/or after-school programs located in schools are considered to be part of the school. These programs are not required to demonstrate compliance with child care specific building and accommodation requirements because the building is already subject to school specific requirements and the school requirements are deemed sufficient for these programs.

If the licensee or child care centre staff notice unsafe outdoor play structures or have concerns with the safety of the building, they must take steps to address the issue. The school and/or school board should be contacted immediately so that action can be taken to remedy any safety concerns and make necessary repairs.

If unsafe outdoor play structures cannot be repaired immediately, licensees should take steps to ensure children are offered other outdoor play experiences and not permitted to use unsafe equipment.

**Each child care centre must have:**

- at least 2.8 square metres (30 square feet) of unobstructed indoor play space for each child in an infant, toddler, preschool or family age grouping program based on licensed capacity.
- 2.58 square metres of unobstructed indoor play space for each kindergarten, primary/junior school age or junior school age program based on licensed capacity. A Director may approve a smaller amount of space than required for a child care centre located in a school, provided that the room or area to be used by a licensed age group is used by the school for children who are the same age as the age category of the licensed age group.

Licensee must ensure that all room location, window glass and light illumination and indoor temperature requirements are always met.

**Other requirements include:**

- separate play activity room for each licensed infant room including a separate sleep room. Separate play activity room for toddlers, preschoolers, kindergarten, primary/junior and junior school age children.
- designated storage space for food, toys, indoor and outdoor play materials and equipment, and required records
- designated locked storage space for medical supplies, cleaning material and equipment, and other hazardous substances.
- For programs that operate more than 6 hours a day there must be designated space for eating and resting, meal prep., staff room, storage of beds and linens, office area and outdoor play
- Materials are adequate to serve the licensed capacity of the program, a variety of different materials that allow for rotation, accessible to children throughout the day and allow children to make choices, encourage play and exploration and developmentally appropriate.
- All materials, furnishings and equipment must always be kept in safe conditions and a good state of repair with adequate storage

## Playground (for full day programs operating six hours or more)

Playground safety policies based on the Canadian Standards Association that include a daily, monthly and annual inspection must be kept up to date. An issue log and repair log must also be kept up to date.

### Requirement include:

- at least 5.6 square metres/child (60 square feet) based on licensed capacity of outdoor play space
- no more than 64 children are permitted to use a fenced area at one time
- playground is to be at ground level and adjacent to the premises
- fenced to a minimum height of 1.2 metres (4 feet) and designed to allow for constant supervision with one or more gate that is securely locked
- All outdoor equipment must meet CAN/CSA standards and be inspected annually

Shared space confirmation must be kept on file and made available to Ministry staff when requested. The shared space confirmation must include information on all rooms available for use by the child care program, regardless of whether they are currently using the rooms or not. It must also include the primary use of each room during the school day and be signed by the child care centre's supervisor and a representative of the school board (e.g., principal).

## Health and Medical Supervision

The licensee must comply with any and every recommendation or direction given by the local Medical Officer of Health. The licensee must have policies and procedures related to sanitary practices in the child care. There must be a first aid kit and manual on site.

Each licensee will create policies, procedures and individualized plans, in conjunction with the child's family and medical practitioner, for any child with an anaphylactic allergy and/or medical needs. Where the licensee agrees to administer medication to a child she/he must ensure:

- A written procedure for the administering of any drug or medication and for keeping the drugs or medication.
- All drugs and medications on the premises are stored and administered in accordance with the instructions on the label, inaccessible to children at all times and kept in a locked container.
- One person must be in charge and accountable for the dispensing of the medication.
- Written permission from the parent is required.
- Medication may only be administered from the original container as supplied by a pharmacy.

## Nutrition

Children attending six hours or more of child care, a meal is to be served at meal time and two nutritious snacks. Drinking water must always be made available.

## Program for Children

Every licensee will have a Parent Handbook for families that outlines the services provided, age groups served, fee schedule, times when services are provided and closures, admission and discharge policies. A copy of the Program Statement policies surrounding volunteers and students, parental issues and concerns, a list of prohibited practices, emergency management policies and how parents will be contacted in case of emergency, all need to also be included in the Parent Handbook. The Parent Handbook is to be provided free of charge to any prospective families and families in receipt of care at your centre.

The licensee will ensure that the program is inclusive of all children and that individualized support plans are in place for any child with special needs in receipt of care. The ISP needs to be created in conjunction with the parents and health professionals that support the child.

## Staff Qualifications

Every supervisor must be a registered Early Childhood Educator, with at least two years experience and must be approved by the Ministry of Education, or otherwise approved by the Director of the Ministry of Education. Before starting employment, the Supervisor will ensure all staff have completed a health assessment and immunization as recommended by the Medical Officer of Health.

Policies and procedures will be in place to support staff training and professional development. Every licensee will ensure all staff will have a valid certification in standard first aid including infant and child CPR issued by a training agency approved by the Workplace Safety and Insurance Board.

## Staff Screening Measures and Criminal Reference Checks

Every licensee of a child care centre will obtain a Vulnerable Sector Check from every employee before he/she begins employment and every student or volunteer attending the program. A new Vulnerable Sector Check needs to be obtained on the fifth anniversary of the original. An offence declaration needs to be completed every calendar year for each Vulnerable Sector Check and no later than 15 days from the expiry date. Every licensee shall ensure there are policies and procedures obtaining, submitting and the confidentiality of vulnerable sector checks and offence declarations.

## Emergency Preparedness

Every child care premises will be equipped with a telephone service or other approved method of obtaining emergency assistance. There must be a written fire safety procedure approved by the fire department and posted in each room. There must be a fire drill at least once per month and the results must be recorded and kept on file. In addition, there must be a designated place of shelter in the event of an emergency. Emergency numbers for the fire, hospital, ambulance, poison control, police and taxi must be posted and accessible.

The licensee will ensure that there are policies and procedures regarding the management of emergencies that address roles and responsibilities, additional support for children with special needs,

a place of evacuation and supervision requirement. Also, the inclusion of how parents and the appropriate local emergency response agencies will be contacted. Policies and procedures surrounding the recovery from an emergency and support that may be needed for children and staff who are experiencing distress.

## Administrative Matters

The operator must maintain, in full force, insurance that includes the following:

- comprehensive general liability coverage and personal injury coverage including, where applicable, coverage for the employees
- motor vehicle coverage for all vehicles owned by the operator

Each licensee must maintain up-to-date records on each child. The attendance record must document the arrival and departure of each child.

Statistical information regarding the operation, enrollment and program services may be collected at any time.

The licensee must post a copy of the licence and decal in a conspicuous place that is visible to all families.

## Other Legislation

Drinking water that is supplied to a child care that is not from a Municipal water source must comply with the *Safe Drinking Water Act 2002*. Child care centres are required to comply with the rules for lead testing as set out in the *Safe Drinking Water Act 2002*.

Child care centres are required to comply with the requirements under the *Smoke-Free Ontario Act 2017* which prohibits smoking tobacco, medicinal marijuana, and electronic cigarettes at a child care.

## Enforcement

If the Director or inspector believes on reasonable grounds that a person is not in compliance with a provision of this Act or the regulations a compliance order may be made:

- ordering the person to comply with the provision
- have the person refrain from doing what is in the order
- provide a time line of how long the person is to refrain or do what was ordered

If the Director or inspector believes on reasonable grounds that there is imminent threat to the health, safety or welfare for any children for whom child care is provided, the Director or inspector will make a Protection Order which will stop the licensee from operating the child care until the Director is satisfied the order has been met, order the licensee to remove the threat or shall suspend the licence.