



ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION

Leading Education's Advocates

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May 23, 2019

Shannon Fuller
Assistant Deputy Minister
Early Years and Child Care Division
Ministry of Education

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Dear Ms. Fuller,

The Ontario Public School Boards' Association (OPSBA) appreciates this opportunity to provide comments and feedback to the Ministry of Education's Consultation Document regarding Proposed Regulatory Amendments under the *Child Care and Early Years Act, 2014* and the *Education Act*. We understand that these regulations are part of the government's multi-year and phased-in approach for many recent regulations, including those that were part of the Bill 66, Restoring Ontario's Competitiveness Act, 2019.

To provide some context, OPBSA has regularly consulted with its member boards on the implementation of full-day kindergarten (FDK) and before-and-after school care since the initiative was first introduced in 2009. We have provided submissions to several pieces of legislation and proposed regulations and the following statements and principles remain true:

- OPSBA wholeheartedly embraces the fundamental importance of full-day early learning. It is a commitment to the children of the province to provide a solid foundation for success in school and in life.
- Our boards have been extremely supportive of the implementation of FDK and the flexibility given for before-and-after school programming. Boards appreciated being able to consult with their communities and make local decisions that are right for children and their families.
- Our schools are maintaining successful partnerships with their local community providers, whose presence is in more than half our schools.
- We support high quality, affordable and accessible programs for children and their families. Quality of care suffers without quality staff and this should not be compromised.
- School boards work together and in partnership with the relevant ministries, the early childhood education community, third party providers and municipalities to ensure that the program delivery model and implementation strategies are responsive to the diverse needs of children and families.
- The system needs to be flexible and respond to parents' needs by allowing them options that fit their children and family dynamics.

- Many communities still struggle to find third party providers in non-urban areas.
- Any provider caring for special needs children must have the training and knowledge to support that child and their family.

We did [comment on Bill 66](#) and we should note again that our response was mixed in terms of support for the allowance of authorized recreational and skill building programs to deliver after school programs and the ages of children in those programs to be lowered from six to four years of age. While support was given for multiple options for care and the role different groups provide, there are concerns that remain regarding safety, supervision and programming consistency.

This current consultation document suggests regulations to three areas of the government's plan for child care; reduce red tape and administrative burden, increase choice and flexibility for families; and improve quality and deliver high standards of care. The questions were shared with the early learning leads (typically superintendents) within our member boards and the trustees on our Policy Development Work Team. After reviewing the document we recognize that many regulations are housekeeping in nature, concern operational detail in licensed child care and home care provider setting, and are making alignments with other legislation and regulations.

However, there were three specific changes about which members have expressed comments and questions.

B. INCREASING CHOICE AND AVAILABILITY FOR FAMILIES

B2 Authorized Recreational and Skill-Building Programs – List of Eligible Operators/Providers

The proposed change is to expand the list of eligible authorized recreation and skill building programs to include: HIGH FIVE accredited programs recognized by Parks and Recreation Ontario and to add, as an eligible operator, urban Indigenous organizations that are members of Ontario Federation of Indigenous Friendship Centres with Friendship Centre status.

OPSBA Comments – This was seen a positive change, especially for those boards with limited operators, mostly found in our rural and northern areas. We support the addition of Indigenous child care partners to give Indigenous parents options that best meet the needs of their children. However, comments also suggested some lived experiences of having multiple programs and operations in one school location. This has led to a competition for students and we would not want “bidding” wars for child care services where the lower cost option was the determining factor for a family. Another concern is the instability of funding for some operators, which has led to parents scrambling for care and a school board to seek a new operator. Multiple programs in a single site has also created inequities in family subsidies if one program includes a subsidy and the other does not. In addition, the after school rec programs do not meet the needs of families who require before care or care beyond the three hour maximum that the authorized recreational and skill building programs are restricted to. Third party child care operators are not able to offer before care programs only, as this is not financially viable for them. This will create gaps in service to families, which will put added pressure on boards to find ways to fill these before care gaps.

C. IMPROVING QUALITY AND DELIVERING HIGH STANDARDS OF CARE

C6. Fire Safety Procedures and Drills – Extended Day and Third Party Programs

The proposed change is to amend the requirements respecting the frequency of routine fire drills in school-based child care centres, to make them apply to before-and-after-school programs serving children from junior kindergarten through to Grade 6.

OPSBA Comments – This change makes sense and is supported by our member boards.

B. INCREASING CHOICE AND AVAILABILITY FOR FAMILIES
B3 Third Party Programs Providing Before and After School Care

The proposed change is to amend a subsection of the *Education Act* and remove the requirement for school boards to prioritize agreements with third party programs that are a not-for-profit entity or a municipality.

OPSBA Comments - This proposed change was the most controversial; in some areas of Ontario more than others. It was generally felt the ministry should allow some local flexibility for school boards when considering their child care and third party providers. Concern was expressed about the intention for current providers and their agreements. Is it being suggested that past agreements with existing providers would also be reviewed at renewal time? We would not want the intent of 'remove the requirement for school boards to prioritize agreements with third party operators' to mean that school boards must consider for-profit and not-for-profit equally once current agreements are up. We would recommend that current agreements would remain in place or be renewed through the usual process unless there was reason to consider another operator. This needs to be clarified.

Some members were against the removal of this requirement to prioritize a not-for-profit group and felt strongly that this would lead to increased child care costs and a lack of quality programming and overall care. Again, there was concern about multiple operators "bidding" against each other and the overall concept that child care should not be based on cost alone. Other members referenced the current requirement has been helpful, as the philosophy of not-for-profit organizations is similar to that of public education and that of board delivered before-and-after programs that are to operate on a cost-recovery basis. It was also commented, that "expanding businesses" is not an appropriate goal for the Ministry of Education, which should be the safety of children and the quality of our children's education and care.

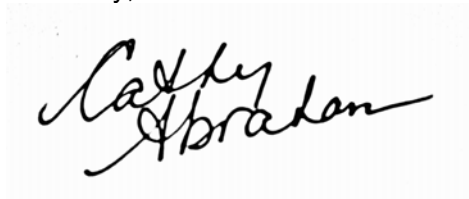
And further, we have member boards who conveyed unsuccessful and frustrating arrangements with "for profit" groups that demanded boards pay for space renovations and others who began to increase fees due to lack of children in their program.

Other member boards' comments indicated that the non-profit requirement provided an initial screening process. Applicants were already existing operators, with license to operate, and this allowed for a visit from the board to an existing site, as an integral part of the application process. This visit ensured that their pedagogy and policies aligned with board priorities and programming. This change will require our boards to create new application criteria to meet board-approved processes and ensure quality, viability and sustainability for families. We do not want to open up tenders to individuals without experience and knowledge of quality programming and strong business practices for child care. We do have other member boards that require a thorough application process that includes information about fees that are charged to parents and their financial reports. These boards look closely at the program's financials to ensure that fees for parents are reasonable and not in service of the program's profit margins.

The government states that this change will give school boards and parents more choice. In the end, this may not be achieved. Boards will require flexibility to make determinations that can best meet a variety of diverse child care needs for families.

Thank you again for your consideration of our comments and the small extension to the consultation. Please do not hesitate to connect with our staff should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Cathy Abraham". The signature is written in a cursive, flowing style.

Cathy Abraham
President
Ontario Public School Boards' Association

The Ontario Public School Boards' Association represents public district school boards and public school authorities across Ontario, which together serve more than 1.3 million public elementary and secondary students. The Association advocates on behalf of the best interests and needs of the public school system in Ontario. OPSBA is seen as the credible voice of public education in Ontario and is routinely called on by the provincial government for input and advice on legislation and the impact of government policy directions.

cc:

The Honourable Lisa Thompson, Minister of Education
Nancy Naylor, Deputy Minister, Ministry of Education