

Ministry of Education Ministère de l'Éducation
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Memorandum To: Child Care Licensees

From: Shannon Fuller
Assistant Deputy Minister
Early Years and Child Care Division

Date: June 12, 2020

Subject Regulatory Amendment to O.Reg. 137/15 under the *Child Care and Early Years Act, 2014*

To support the healthy and safe reopening of child care across the province, the following regulatory changes to O. Reg 137/15 have been made under the CCEYA. These regulatory requirements are aligned with the guidance provided in Operational Guidance During COVID-19 Outbreak.

Support Physical Distancing

- Set a maximum cohort size of 10 people, children and staff.
- Set an administrative penalty for any licensee that exceeds the maximum cohort size.
- Provide flexibility on time requirements for outdoor play to mitigate challenges with accessing space and/or rotating children on playgrounds.
- Set out additional exceptions for restricting access to premises to support licensees in limiting the number of non-essential persons entering the premises.

Implementation of Policies and Procedures

- Waive the requirement for licensees to implement administrative policies and procedures, including parent handbook and program statement, to the extent that their implementation would be inconsistent with protocols relating to the outbreak of the coronavirus (COVID-19).

Support Reporting

- Require that licensees report to the ministry any suspected or confirmed cases of COVID19 of staff and home child care providers.

- Require that licensees and home child care providers keep daily records of anyone entering the centre or premises (e.g., cleaners, people supporting children with special needs).

Enhanced Health and Safety Measures

- Require licensees to develop and review with staff and home child care providers policies and procedures with respect to enhanced health and safety protocols
- Require licensees to submit an attestation to the ministry confirming that enhanced protocols are in place and require advance notice of their expected opening date.
- Require all persons entered the premises to be screened before entering.
- Require home child care providers and anyone who resides at the premises to self-screen each day before receiving children into care.

Parent Fees – Child Care Centres

- Prohibit licensees from charging a fee or deposit to prioritize a child's admission or re-admission to a child care centre or home child care agency;
- Prohibit licensees from charging a fee or deposit if a parent is not offered a spot or chooses not to accept a spot.

Parent Fees – Home Child Care Agencies

- Require licensees to notify parents when a spot is available for a child and provide parents 30 days to accept the spot. Only after the 30 days are licensees permitted to charge fees to hold the spot.
- Prohibit licensees from penalizing the parent for using the whole 30 days to accept or decline the spot.

Child care licensees are required to provide the ministry with a completed attestation at least two days prior to your anticipated opening date.

Home child care agencies are required to provide the ministry with a completed attestation by the deadline of June 21, 2020.

The attestation confirms that you have developed and reviewed the enhanced protocols with staff and home child care providers and visitors, and that the policy has been made available to parents.

Licensees should also consult with their Consolidated Municipal Service Managers/ District Social Service Administration Boards prior to opening, if applicable.

Please note, emergency child care can continue to operate until June 26, 2020 under their current guidelines. If you are currently operating as emergency child care and wish

to begin the re-opening process, you will be required to end your emergency child care program and begin operating in accordance with these new regulatory requirements.

Please contact your service system manager and Program Advisor to notify them of your plans.

If you have any questions, please contact your assigned Program Advisor.

Shannon Fuller

CC: CMSMs/DSSABs