

Ministry of Education

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Ministère de l'Éducation

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December 5, 2013

Dear Ontario First Nation Chiefs,

I am pleased to announce that the Ontario government has introduced new legislation, the *Child Care Modernization Act, 2013*, that would, if passed, set the foundation for a future where a more responsive, high-quality and accessible child care and early years system serves children and families in Ontario.

Our commitment to children and families living in Ontario is stronger than ever. The proposed legislation builds on the progress we have made to date with the implementation of full-day kindergarten and the investments we have made to modernize child care. It is the essential next step in the continuing transformation of Ontario's child care and early years system.

As you know, in 2012, the government embarked on a series of discussions and engagement activities regarding the modernization of child care in Ontario. This included the release of the *Modernizing Child Care in Ontario* discussion paper that sought input on how to strengthen the child care sector to provide families with safe, reliable and high-quality child care services. We received approximately 400 submissions from across the province including several submissions from Provincial/Territorial Organizations and other First Nation communities and organizations.

First Nations feedback was consistent with comments from other communities and organizations. We heard clearly that the *Day Nurseries Act*, the legislative framework governing child care in Ontario, is outdated and no longer aligns with the child care needs of today's families. The Act dates back to 1946 and has not been comprehensively reviewed since 1983.

If passed, the proposed legislation would fully repeal and replace the *Day Nurseries Act* with the *Child Care and Early Years Act, 2013*, a new, modernized legislative framework that would govern the provision of child care and early years programs and services. It would support greater access to licensed home-based child care, and strengthen the government's oversight in child care settings by introducing a range of new enforcement tools to respond promptly to non-compliant child care providers that are both licensed and unlicensed, as applicable.

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If passed, the proposed legislation would also:

- Facilitate the delivery of high-quality, developmentally responsive child care and early years programs and services and recognize Early Childhood Educators as knowledgeable and self-reflective professionals.
- Help parents and families make informed choices about child care options by clarifying what programs are licensed and what programs do not require a licence.
- Support the local planning and implementation of child care and early years programs and services and reflect the leadership role that municipalities and district social services administration boards play as local service system managers.
- Recognize the unique qualities of First Nation, Métis, Inuit and Aboriginal communities. It also more clearly articulates the powers of First Nations in establishing, administering, and funding child care and early years programs and services on reserve.
- Provide for ongoing public consultation on regulatory standards for child care and early years programs and services.

In addition to repealing and replacing the *Day Nurseries Act*, the proposed legislation also includes amendments to:

- The *Education Act* that, if passed, would support access to developmentally responsive before- and after-school programs for 6 to 12 year olds, building on the successful implementation of full-day kindergarten. This would help support an increasingly seamless and integrated day to help meet the needs of children in provincially funded schools.
- The *Early Childhood Educators Act, 2007* based on the advice we received this fall as part of the statutory review of the Act. These changes, if passed, would support the College of Early Childhood Educators in carrying out its roles and responsibilities and support our government's child care and early years vision.

Next Steps

The proposed legislation is available on the Legislative Assembly website at: http://www.ontla.on.ca/bills/bills-files/40_Parliament/Session2/b143.pdf

The transformative changes under this new proposed legislation are subject to the consent of the Legislative Assembly. If passed, they would take time to implement and we will work closely with you to support the transformation and transition of child care and early years programs and services.

In the interim, we are proposing to seek approval of a series of regulatory changes under the *Day Nurseries Act* which are critical to improving accessibility to licensed child care spaces and further supporting safety and quality. We are seeking your feedback on these proposals and further information will be available shortly on the Ontario Regulatory Registry at <http://www.ontariocanada.com/registry/>

As the experts on the cultural and political landscape of First Nation communities, your partnership is crucial to ensuring that we are able to move forward. As always, there will be opportunities through the legislative process for you to provide comments and suggestions on the proposed bill. I encourage you to do so.

In addition, the Province recognizes the position of First Nation Chiefs with respect to early learning and child care as outlined in All Chiefs Resolutions 10/16 and 10/23, and remains committed to engaging First Nations as we move forward with child care modernization.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Sandals". The signature is fluid and cursive, with a large initial "L" and a long, sweeping underline.

Liz Sandals
Minister