



**Review of**

**The Early Childhood Educators Act, 2007**

**Consultation Report**

**December 2013**

## **Introduction**

Under section 58 of the Early Childhood Educators Act (the “Act”), 2007, the Minister of Education must conduct a review of the Act by February 14, 2014. The Minister is required to inform the public when the review begins and prepare a written report on the review that is publicly available.

The intent of the five-year review is to determine if the Act is adequate to achieve its objectives and identify any legislative barriers to effective implementation of the College of Early Childhood Educators’ (the “College”) responsibilities. The review is not intended to be an evaluation of the College’s performance.

On June 26, 2013, the Ministry of Education launched the review of the Act and posted a discussion paper for consideration on the Ontario Regulatory Registry for a 60 day period.

Early childhood educators, stakeholder organizations, and members of the general public were invited to participate and make submissions by August 27, 2013 on the following two questions:

- Are the provisions in the Act adequate for achieving the objectives of the Act (i.e. public protection, high standards for the profession of early childhood education and accountability)?
- What changes to the Act, if any, should be considered by the government to improve the operations of the College in carrying out its roles and responsibilities and support the government’s vision for the early years?

A total of twenty-nine submissions were received. Respondents included the College of Early Childhood Educators, representatives of stakeholder organizations at the local and provincial levels, licenced child care centres, municipal partners, and the general public. The following report is based on the feedback received during the consultation period.

## **Background**

### **Purpose of the Act**

The Early Childhood Educators Act, 2007, established the College of Early Childhood Educators which is primarily responsible for serving and protecting the public interest, including those of children and parents, by regulating the profession of early childhood education.

To fulfil this mandate, the College promotes and ensures high standards for the profession of early childhood education by:

- Establishing registration requirements and coordinating the registration process;
- Maintaining a public registry of ECEs;

- Establishing a professional code of ethics and setting standards of practice that all members of the College are required to meet;
- Providing for ongoing education and continuous professional learning to members of the College; and
- Investigating complaints from the public about the conduct, competency and fitness to practice of members and, if necessary, disciplining members.

Ontario is the only province in Canadian to regulate early childhood educators. As of September 1, 2013, the College has issued over 45,000 Certificates of Registration.

ECEs bring valuable knowledge about early childhood development, observation and assessment, and a focus on age-appropriate program planning that promotes each child's physical, cognitive, language, emotional, social and creative development and well-being. ECEs work in a variety of settings (e.g. child care programs, full-day kindergarten and primary grade classrooms, special education and intervention programs, family support programs, etc.) planning and delivering inclusive play-based learning and care programs to promote the well-being and holistic development of children.

## **Overview of the Act**

The Early Childhood Educators Act, 2007 received Royal Assent on May 17, 2007 and was proclaimed in stages with the final sections proclaimed on February 14, 2009

The Act supports the College in meeting its duty and objectives by providing:

- A definition of what constitutes the scope of practice in the profession;
- A requirement for persons to be members in order to practise the profession;
- Title protection authorizing only members of the College to use the titles "early childhood educator" or "registered early childhood educator" or an abbreviation (including French equivalents);
- Roles and responsibilities of the Registrar; Registration Appeals, Complaints, Discipline, Fitness to Practise Committees; and
- Transitional provisions.

The Act also outlines the role of the Council which serves as the College's governing body and board of directors, and manages and administers the affairs of the College. The Council consists of 14 elected members and 10 public members appointed by the Lieutenant Governor in Council.

The Act includes a number of measures to support public accountability including:

- Annual reports by the Council on its activities and financial affairs;
- Annual meetings of members held by the College;
- Council meetings that are open to the public with reasonable notice provided to members of the College and the public; and
- Council regulations subject to approval by the Lieutenant Governor in Council with prior review by the Minister.

## **What We Heard**

Consultation submissions covered a wide range of topics. Among those received, several stated that the provisions of the Act were adequate for achieving the objectives of the College. However, the majority included recommendations to amend the Act for the purpose of improving the operational efficiency of the College to further protect the public interest, and support its registered members. The following provides an overview of recommended areas to enhance the Act, organized by theme.

### **Public Protection**

Members of the public and sector associations often cited the need to strengthen the objectives of the Act with greater public protection through the creation of higher standards of responsibility for employers and employees- including greater accountability to the Code of Ethics and Standards of Practice. Recognition of qualifications for all individuals with additional training in leadership, as well as resource teachers/consultants was further noted as important to the delivery of quality early childhood education programs.

Recommendations included the need to establish a process to facilitate reciprocal information sharing between the College and employers, public agencies, school boards and law enforcement agencies when dealing with investigations related to professional misconduct involving a registered member of the College.

Recommendations were also put forward related to privacy and protection of personal information. For instance, respondents indicated that the privacy and identity of individuals filing a report, or the place in which the incident occurred in allegations of professional misconduct or incompetence (including hearings), be protected in the official publication of the College.

Several recommendations were put forward related to professional misconduct, for instance, where a member is found guilty of professional misconduct or incompetence, respondents recommended that reinstatement should be indefinite, or at least for two years with the stipulation that the member undertake extensive training.

Respondents also recognized the need for ongoing education to keep ECEs current, reflective, and ultimately accountable to the public and their professional practice. Although a concurrent consultation process was in place for the College's proposed Continuous Professional Learning (CPL) regulation, a number of submissions commented on the CPL which is considered out of scope in this report.

Suggestions were raised for greater alignment between the Early Childhood Educators Act, 2007 and the Education Act to support public protection now that early learning and child care fall under the Ministry of Education. Likewise, a need for greater alignment between the Early Childhood Educators Act, 2007 and the Day Nurseries Act was also recommended.

## **College Operations**

In most cases, submissions from individual members did not propose specific amendments to the Act with respect to College operations, but suggested broad or general suggestions for the College, which fall outside of the scope of the review. For example, some submissions raised concerns about compensation levels for ECEs.

In other instances, respondents provided detailed recommendations to revise and amend the Act with respect to the composition of the College Council, sub committees and working groups (specifically with regard to increasing Francophone representation). In order to help streamline College processes, respondents recommended broadening the powers and duties of statutory and standing committees with respect to processing complaints.

Respondents also provided recommendations on operational processes for the College where the Act did not provide for one. This included suggestions for member services, such as creating a one-time per year annual registration/renewal date for members, as well as accessing live information from the College in French.

## **Other General Recommendations**

Several submissions cited the need for greater clarity around the roles and responsibilities of ECEs, and to broaden the practice of early childhood education outlined in the Act. Respondents also highlighted the need for the College and the Province to increase public awareness on the value of the profession.

Input was received on the accreditation process for post-secondary professional ECE programs in Ontario, with the recommendation that the Act be amended for the purpose of providing the College with the authority to accredit such programs.

Additional comments for consideration included the suggestion that the College oversee new ECE induction program under the Act, similar to the induction program for new teachers in the Education Act.

Several submissions also cited the need for the College to create more accessible supports for ECEs on their website such as an ECE portal with access to research and journal articles.

## **What We're Doing: Next Steps**

The Ministry of Education thanks everyone who provided their feedback during the consultation process.

The government will consider the submissions received with respect to the five year review as part of its larger consideration of its next steps to modernize child care in Ontario and support the child care and early years vision articulated in the Ontario Early Years Policy Framework.

The vision focuses on an increasingly integrated system of responsive, high-quality, accessible child care and early years programs and services that are adaptive to local communities, contribute to healthy child development, and are delivered by knowledgeable, responsive and reflective professionals. The work of the College supports the government's vision.

The government introduced proposed legislation in December 2013 to modernize child care and support the government's child care and early years vision. This included proposed amendments to the Early Childhood Educators Act, 2007 and, if passed, would replace the Day Nurseries Act, Ontario's child care legislation, to help strengthen the safety and quality of child care.

The government is committed to working with partners as it moves forward with next steps to modernize child care and support the child care and early years vision. To stay engaged with news about child care in Ontario and the government's next steps, visit the Ministry of Education's website at: <http://www.edu.gov.on.ca/eng/>