



Province of Alberta

## CHILD CARE LICENSING ACT

# CHILD CARE LICENSING REGULATION

### **Alberta Regulation 143/2008**

With amendments up to and including Alberta Regulation 62/2013

#### Office Consolidation

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Alberta Queen's Printer  
5<sup>th</sup> Floor, Park Plaza  
10611 - 98 Avenue  
Edmonton, AB T5K 2P7  
Phone: 780-427-4952  
Fax: 780-452-0668

E-mail: [qp@gov.ab.ca](mailto:qp@gov.ab.ca)  
Shop on-line at [www.qp.alberta.ca](http://www.qp.alberta.ca)

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(Consolidated up to 62/2013)

**ALBERTA REGULATION 143/2008**

**Child Care Licensing Act**

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## Schedules

**Definitions****1(1)** In this Regulation,

- (a) “Act” means the *Child Care Licensing Act*;
- (b) “day care program” means a child care program provided to infants, pre-school children and kindergarten children for 4 or more consecutive hours in each day the program is provided;
- (c) “group family child care program” means a child care program provided in the private residence of the licence holder to infants, pre-school children, kindergarten children and school-aged children;
- (d) “infant” means a child under 19 months of age;
- (e) “innovative child care program” means a child care program approved by the director that is designed to meet the unique child care needs of the community in which the program is provided;
- (f) “kindergarten child” means a child who is 4.5 years of age or older and is attending an early childhood services program as defined in the *School Act*;
- (g) “licensed capacity” means the maximum number of children who, pursuant to a licence issued under the Act, may receive child care in a child care program;
- (h) “out of school care program” means a child care program provided to kindergarten children and school-aged children in any or all of the following periods:
  - (i) before and after school;
  - (ii) during the lunch hour;
  - (iii) when schools are closed;
- (i) “parent” means, in relation to a child, the child’s parent or guardian;
- (j) “pre-school child” means a child who is
  - (i) 19 months of age or older, and

- (ii) not a student as defined in the *School Act*;
- (k) “pre-school program” means a child care program provided to pre-school children and kindergarten children for less than 4 hours per child in each day the program is provided;
- (l) “primary staff member” means a staff member of a child care program whose primary duty is child care and who is actively engaged in the supervision of children;
- (m) “private vocational school” means a location or premises in which the holder of a licence issued under the *Private Vocational Training Act* is authorized to provide vocational training;
- (n) “program premises” means the premises, as indicated on a licence issued under the Act, where a child care program authorized by the licence is provided;
- (o) “program supervisor” means a staff member of a child care program whose duty is to provide, at the program premises, supervision of the daily provision of the child care program;
- (p) “public college” means a public college as defined in the *Post-secondary Learning Act*;
- (q) “school-aged child” means a child who is a student as defined in the *School Act*, but does not include a kindergarten child;
- (r) “transitional licence holder” means a licence holder who held a licence under the *Social Care Facilities Licensing Act* that
  - (i) was in respect of a day care facility, and
  - (ii) was in existence immediately before the coming into force of the Act.

(2) In the Schedules to this Regulation, “this Regulation” means this section and sections 2 to 22 preceding Schedule 1.

## **Part 1 Application Process**

### **Information to accompany application for licence**

**2** An application under section 4(1) of the Act for a licence must be accompanied with the following:

- (a) a program plan that describes the applicant's proposed child care program, including
  - (i) the child care philosophy on which the child care program is to be based,
  - (ii) how the child care program will meet the developmental needs of children,
  - (iii) utilization of the premises where the child care program is to be provided, including utilization of outdoor play space,
  - (iv) utilization of community resources,
  - (v) emergency procedures,
  - (vi) the nature and scope of parental involvement in the child care program, and
  - (vii) a process for ongoing evaluation and improvement of the child care program;
- (b) a staffing plan, including
  - (i) a list of staff positions and responsibilities,
  - (ii) an orientation process for staff with respect to the policies and procedures of the proposed child care program,
  - (iii) a description of how the applicant will screen staff and volunteers, and
  - (iv) in the case of an application for a licence to provide a group family child care program, a description of the applicant's back-up staffing plan;
- (c) the administrative policies and procedures relating to the proposed child care program;
- (d) the results of a criminal record check, including a vulnerable sector search, dated not earlier than 6 months prior to the date of the application, with respect to the following:
  - (i) if the applicant is an individual, the applicant;
  - (ii) if the application is in respect of a group family child care program, all adults residing in the applicant's private residence;

- (e) if the applicant is a corporation, evidence of the applicant's corporate status;
- (f) any other information the director considers necessary to enable the director to assess the capability of the applicant to provide the proposed child care program or the suitability of any person associated with the proposed program to provide child care.

**Information to accompany renewal application**

**3** An application under section 4(3) of the Act for the renewal of a licence must be accompanied with the following:

- (a) if there has been a change in any of the information referred to in section 2(a), (b), (c) or (e) since that information was last provided by the applicant, a description of the changes;
- (b) if a criminal record check referred to in section 2(d) was carried out more than 3 years prior to the date of the renewal application, the results of a new criminal record check, including a vulnerable sector search, with respect to the relevant persons listed in section 2(d);
- (c) any other information the director considers necessary to enable the director to assess the capability of the applicant to continue to provide the child care program or the suitability of any person associated with the program to provide child care.

**Fees**

**4(1)** The fee payable with an application under section 4(3) of the Act is

- (a) \$200 for an initial licence, or
- (b) \$100 for a renewal of a licence.

**(2)** A fee referred to in subsection (1) is non-refundable.

**Conditions precedent to issuing licence**

**5** Before issuing or renewing a licence, the director may

- (a) examine or cause to be examined the premises in which the applicant proposes to provide the child care program,

- (b) require the applicant to make changes to the program plan, staffing plan or administrative policies and procedures provided under section 2,
- (c) require the applicant to provide evidence that the premises in which the applicant proposes to provide the child care program are in compliance with applicable zoning, health and safety legislation,
- (d) require the applicant to provide evidence of general liability insurance coverage for staff and children, and
- (e) require the applicant to attend an information session, provided by the director, with respect to the provision of a child care program.

**Notice of changes****6(1)** A licence holder

- (a) must comply with the program plan referred to in section 2, and
- (b) must not make changes to the program plan without the prior approval of the director.

**(2)** In the case of a licence to provide a group family child care program, a licence holder must notify the director forthwith of any change in the adult residents of the private residence of the licence holder.

**(3)** Where the director has been notified of a change under subsection (2), the director may require the licence holder to provide the director with the results of a criminal record check, including a vulnerable sector search, dated not more than 6 months previously, with respect to any new adult resident.

## **Part 2 Child Care Programs**

**Categories of child care programs**

**7** For the purposes of section 6(1)(b) of the Act and this Regulation, the following categories of child care programs are established:

- (a) day care program;
- (b) group family child care program;
- (c) innovative child care program;

(d) out of school care program;

(e) pre-school program.

**Day care program**

**8** A day care program must be operated in accordance with the requirements of Schedule 1.

**Group family child care program**

**9** A group family child care program must be operated in accordance with the requirements of Schedule 2.

**Innovative child care program**

**10** An innovative child care program must be operated in accordance with the requirements of Schedule 3.

**Out of school care program**

**11** An out of school care program must be operated in accordance with the requirements of Schedule 4.

**Pre-school program**

**12** A pre-school program must be operated in accordance with the requirements of Schedule 5.

## **Part 3 Child Care Certification**

**Levels of child care certification**

**13** For the purposes of this Regulation, the following levels of child care certification are established:

(a) child development supervisor;

(b) child development worker;

(c) child development assistant.

**Application for certification**

**14(1)** An individual may apply to the director to be certified at a level of child care certification set out in section 13.

**(2)** An application under subsection (1) must be in a form satisfactory to the director and must be accompanied with evidence

of the qualifications referred to in section 15, 16 or 17, as the case may be.

**Child development supervisor**

**15(1)** The director may certify an applicant as a child development supervisor if the applicant

- (a) has obtained, from a public college or private vocational school, a diploma acceptable to the director in the field of child development, or
- (b) has completed course work that the director considers to be equivalent to the course work required for a diploma referred to in clause (a).

**(2)** An individual who immediately before the coming into force of this Regulation held a level 3 qualification certificate issued under the *Child Care Regulation* (AR 180/2000) is deemed to be certified under this section as a child development supervisor.

**Child development worker**

**16(1)** The director may certify an applicant as a child development worker if the applicant

- (a) has obtained, from a public college or private vocational school, a certificate acceptable to the director in the field of child development, or
- (b) has competencies, completed course work or a combination of both that the director considers to be equivalent to the course work required for a certificate referred to in clause (a).

**(2)** An individual who immediately before the coming into force of this Regulation held a level 2 qualification certificate issued under the *Child Care Regulation* (AR 180/2000) is deemed to be certified under this section as a child development worker.

**Child development assistant**

**17(1)** The director may certify an applicant as a child development assistant if the applicant

- (a) has completed a course in child care that is approved by the director, or
- (b) has competencies that the director considers equivalent to a course in child care approved by the director.

(2) An individual who immediately before the coming into force of this Regulation held a level 1 qualification certificate issued under the *Child Care Regulation* (AR 180/2000) is deemed to be certified under this section as a child development assistant.

#### **Cancellation of certification**

**18(1)** The director may cancel a certification under section 15, 16 or 17 if the director is satisfied that the certification was issued based on false or inaccurate information.

(2) The director must provide written notice to an individual whose certification is cancelled.

### **Part 4 Administrative Matters**

#### **Forms**

**19(1)** The form for an application for a licence or a renewal of a licence under section 4 of the Act is set out in Schedule 6.

(2) The form for a notice of appeal referred to in section 21(3) of the Act is set out in Schedule 7.

#### **Repeal**

**20** The *Child Care Regulation* (AR 180/2000) is repealed.

#### **Expiry**

**21** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on October 31, 2016.

#### **Coming into force**

**22** This Regulation comes into force on the coming into force of the *Child Care Licensing Act*.

### **Schedule 1**

#### **Day Care Program**

#### **Definitions**

**1** In this Schedule,

- (a) “licence holder” means a person who holds a licence in respect of a day care program;
- (b) “program” means a day care program in respect of which a licence has been issued under section 5 of the Act.

### **Part 1 Program Requirements**

#### **Day care program**

**2(1)** A licence holder must provide a program that is in keeping with the physical, social, intellectual, creative and emotional needs of children in the program.

**(2)** A licence holder must not provide overnight child care to children in the program.

**(3)** Where the licence holder provides transportation for a child between the child’s home and the program premises, the periods of transportation must not, for the purposes of the Act, this Regulation or this Schedule, be considered as part of the program.

#### **Child discipline**

**3(1)** A licence holder must ensure that

- (a) child discipline methods utilized in the program are communicated to
    - (i) parents,
    - (ii) staff, and
    - (iii) children, where developmentally appropriate,
- and

(b) any child disciplinary action taken is reasonable in the circumstances.

**(2)** A licence holder must not, with respect to a child in the program,

- (a) inflict or cause to be inflicted any form of physical punishment, verbal or physical degradation or emotional deprivation,
- (b) deny or threaten to deny any basic necessity, or
- (c) use or permit the use of any form of physical restraint, confinement or isolation.

**Off-site activity and emergency evacuation**

**4(1)** A licence holder may take a child to an activity off the program premises only where

- (a) the child's parent has been advised of the activity, including the transportation and supervision arrangements with respect to the activity, and
- (b) the child's parent has consented in writing to the child's participation in the activity.

**(2)** A licence holder must ensure that in the case of an activity off the program premises or an emergency evacuation a staff member takes the portable record referred to in section 24 of this Schedule in respect of each child to be taken off the program premises.

**Emergency and safety contacts and procedures**

**5(1)** A licence holder must ensure that the following telephone numbers are posted on the program premises and are readily accessible:

- (a) emergency medical service;
- (b) ambulance service;
- (c) fire department;
- (d) police service;
- (e) poison control centre;
- (f) nearest hospital or emergency medical facility;
- (g) child abuse hotline.

**(2)** A licence holder must ensure that the telephone number for an after-hours emergency program contact is posted in a place that is visible from the outside of the program premises.

**(3)** A licence holder must ensure that emergency evacuation procedures are made known to all staff, and to children where developmentally appropriate.

**Accident or illness**

**6** In the case of an accident or serious illness involving a child, the licence holder must forthwith ensure that

- (a) the child's parent is notified, and

- (b) the child receives medical attention if necessary.

**Incident reporting**

**7(1)** In this section, “incident” means

- (a) a serious illness of or injury to a child that occurs while the child is attending a program, and
- (b) any other incident that occurs while a child is attending a program that may seriously affect the health or safety of the child.

**(2)** A licence holder must report each incident to the director forthwith in the manner required by the director.

**Potential health risk**

**8(1)** Subject to subsection (3), where a staff member knows or has reason to believe that a child is exhibiting signs or symptoms of illness as set out in subsection (2), the licence holder must ensure

- (a) that the child’s parent arranges for the immediate removal of the child from the program premises, and
- (b) that the child does not return to the program premises until the licence holder is satisfied that the child no longer poses a health risk to persons on the program premises.

**(2)** Signs or symptoms of illness exhibited by a child include the child

- (a) vomiting, having a fever, diarrhea or a new or unexplained rash or cough,
- (b) requiring greater care and attention than can be provided without compromising the care of the other children in the program, or
- (c) having or displaying any other illness or symptom the staff member knows or believes may indicate that the child poses a health risk to persons on the program premises.

**(3)** Subsection (1) does not apply if the child’s parent provides written notice from a physician indicating the child does not pose a health risk to persons on the program premises.

**Supervised care for sick children**

**9** A licence holder must ensure that a sick child is

- (a) kept as far away as is practicable from the other children, and
- (b) directly supervised by a primary staff member.

**Medication**

**10(1)** A licence holder may administer or allow the administration of medication to a child only where

- (a) the written consent of the child's parent has been obtained,
- (b) the medication is in the original labelled container, and
- (c) the medication is administered according to the labelled directions.

**(2)** Where medication is administered to a child, the licence holder must ensure that the following information is recorded:

- (a) the name of the medication;
- (b) the time of administration;
- (c) the amount administered;
- (d) the initials of the person who administered the medication.

**(3)** A licence holder must ensure that

- (a) subject to clause (b), all medication is stored in a locked container that is inaccessible to children, and
- (b) medication that may be needed in an emergency is stored in a place that is inaccessible to children.

**Health care**

**11** A licence holder may provide or allow for the provision of health care to a child only if

- (a) the written consent of the child's parent has been obtained, or
- (b) the health care provided is in the nature of first aid.

**Smoking**

**12(1)** A licence holder must ensure that no person smokes on the program premises.

(2) No staff member shall smoke at any time or place where child care is being provided.

**Nutrition**

**13** A licence holder must

- (a) provide or require parents to provide meals and snacks for children in the program,
- (b) where the licence holder provides meals and snacks, ensure that the meals and snacks are provided to children
  - (i) at appropriate times and in sufficient quantities in accordance with the needs of each child, and
  - (ii) in accordance with a food guide recognized by Health Canada,

and

- (c) ensure that infant nutrition provided by parents is clearly labelled with the infant's name.

**Menus**

**14** A licence holder must ensure that menus for meals and snacks provided by the licence holder are posted in a prominent place on the program premises.

**Manner of feeding**

**15** A licence holder must ensure that

- (a) the manner in which children are fed is appropriate to their age and level of development,
- (b) children are seated while eating and drinking, and
- (c) no beverages are provided to children while they are napping.

**Part 2****Physical Space Requirements****Layout of program premises**

**16** A licence holder must, with respect to the program premises, ensure that

- (a) washrooms and washroom fixtures are conveniently located and easily accessible to children,
- (b) areas used for child care have a layout that is conducive to effective supervision of children, and
- (c) adequate space is designated for administrative and staff needs.

**Diapering**

**17** A licence holder must

- (a) provide
  - (i) a change table, or
  - (ii) individual changing pads for each child requiring diapering,
- (b) ensure that children are diapered in an area that allows for appropriate supervision of the other children, and
- (c) ensure that proper hand washing procedures are followed when diapering children.

**Net floor area**

**18(1)** A licence holder must provide a minimum net floor area of 3 square metres per child.

**(2)** The net floor area must be calculated

- (a) on the basis of licensed capacity, and
- (b) by measuring the primary play space.

**(3)** Despite subsection (1), where the licence holder is a transitional licence holder and the licence was in force on November 30, 1990, the licence holder may include unencumbered hallway space and half the washrooms in the calculation of net floor area.

**Outdoor play space**

**19(1)** A licence holder must provide outdoor play space that is adjacent to or within easy and safe walking distance from the program premises and accommodates at least 50% of the licensed capacity at a level of not less than 2 square metres for each child under 19 months of age and not less than 4.5 square metres for each child who is 19 months of age or over.

- (2) The licence holder must ensure that
- (a) the outdoor play space referred to in subsection (1) is securely enclosed on all sides, and
  - (b) all entrances to and exits from the outdoor play space that do not lead into the interior of the program premises are kept closed at all times while children are using the outdoor play space.
- (3) Despite subsection (2), the director may
- (a) exempt a licence holder from any requirement of subsection (2) in respect of program premises that are located on school property if the director is satisfied that
    - (i) outdoor play space that meets the requirements of subsection (2) is not reasonably available, and
    - (ii) the children will be adequately supervised and protected in the outdoor play space provided by the licence holder,or
  - (b) exempt a transitional licence holder from any requirement of subsection (2) in respect of program premises that are located on public property if the director is satisfied in respect of the matters referred to in clause (a)(i) and (ii).
- (4) A licence holder must ensure that the number of children utilizing the outdoor play space at any given time does not exceed the number that can be accommodated in accordance with subsection (1).

#### **Indoor furnishings and equipment**

- 20** A licence holder must ensure that
- (a) indoor furnishings, play equipment and play materials are
    - (i) safe and maintained in good repair,
    - (ii) developmentally appropriate for children, and
    - (iii) of sufficient quantity and variety for children,
  - (b) books, toys and play equipment that support literacy development are available to children, and

- (c) each child under 12 months of age is provided with a separate crib or alternative infant bed approved by the director.

**Outdoor equipment**

**21** A licence holder must ensure that outdoor play equipment and play materials are

- (a) safe and maintained in good repair,
- (b) developmentally appropriate for children, and
- (c) of sufficient quantity and variety for children.

**Part 3**  
**Records Requirements**

**Children's records**

**22(1)** A licence holder must, in respect of each child, maintain on the program premises an up-to-date record containing the following information:

- (a) the child's name, date of birth and home address;
- (b) a completed enrolment form;
- (c) the parent's name, home address and telephone number;
- (d) the name, address and telephone number of a person who can be contacted in case of an emergency;
- (e) if medication is administered,
  - (i) the written consent of the parent required under section 10(1) of this Schedule, and
  - (ii) the information required under section 10(2) of this Schedule;
- (f) the particulars of any health care provided to the child, including the written consent of the child's parent required under section 11 of this Schedule;
- (g) any other relevant health information about the child provided by the child's parent, including the child's immunizations and allergies, if any.

**(2)** A licence holder must ensure that a record referred to in subsection (1) is available for inspection

- (a) by the director at all times, and
- (b) by the child's parent at reasonable times.

**Administrative records**

**23(1)** A licence holder must maintain on the program premises up-to-date administrative records containing the following information:

- (a) particulars of the daily attendance of each child, including arrival and departure times;
- (b) particulars of the daily attendance of each primary staff member, including
  - (i) arrival and departure times, and
  - (ii) hours spent providing child care;
- (c) with respect to the program supervisor and each primary staff member,
  - (i) evidence of the supervisor's or member's child care certification, and
  - (ii) a current first aid certificate, where applicable;
- (d) with respect to each staff member and each volunteer referred to in section 25(1)(a) of this Schedule, verification that a current criminal record check required under that section has been provided to the licence holder.

**(2)** A licence holder must ensure that

- (a) the records referred to in subsection (1) are available for inspection by the director at all times,
- (b) the information referred to in subsection (1)(a) is available for inspection by the child's parent at reasonable times, and
- (c) the information referred to in subsection (1)(a) and (b) is retained for a minimum period of 2 years.

**Portable record**

**24** A licence holder must maintain a portable record of emergency information, including the following:

- (a) in respect of each child, the information referred to in section 22(1)(a), (c), (d) and (g) of this Schedule;

- (b) the telephone numbers of the local emergency response service and poison control centre.

## **Part 4 Staffing Requirements**

### **Core requirements**

**25(1)** A licence holder must ensure that

- (a) each staff member and each volunteer who has unsupervised access to children
  - (i) is an adult, and
  - (ii) provides to the licence holder a criminal record check, including a vulnerable sector search, dated not earlier than 6 months prior to the date of commencement with the program and every 3 years after that date,

and

- (b) a minimum of one in every 2 of the primary staff members has first aid certification acceptable to the director.

**(2)** A new staff member

- (a) must provide the criminal record check referred to in subsection (1)(a)(ii) within 8 weeks of commencement with the program, and
- (b) must not have unsupervised access to children until the criminal record check has been provided.

**(3)** A licence holder must ensure that at least one staff member with first aid certification acceptable to the director is on duty at all times.

### **Program supervisor**

**26(1)** A licence holder must ensure that a program supervisor who is certified as a child development supervisor is on the staff of the program at all times.

**(2)** When the program supervisor is not on the program premises, the program supervisor must

- (a) designate a staff member to assume the responsibilities of the program supervisor during the program supervisor's absence, and
- (b) in the case of an extended absence, obtain the director's approval with respect to the designation of a staff member under clause (a) if that staff member is not certified as a child development supervisor.

**Ratios and maximum group size**

**27(1)** A licence holder must ensure that, at all times, the following requirements are met with respect to

- (a) the minimum primary staff member to children ratio, and
- (b) the maximum number of children who may be included in a group:

<b>Age of Children</b>	<b>Primary Staff Member to Children Ratio</b>	<b>Maximum Number of Children in a Group</b>
Infants less than 12 months	1:3	6
Infants 12 months to less than 19 months	1:4	8
19 months to less than 3 years	1:6	12
3 years to less than 4.5 years	1:8	16
4.5 years and older	1:10	20

**(2)** Despite subsection (1), a licence holder must ensure that, at all times while children are sleeping, the following requirements are met with respect to the minimum primary staff member to children ratio:

<b>Age of Children</b>	<b>Primary Staff Member to Children Ratio</b>
Infants less than 12 months	1:6
Infants 12 months to less than 19 months	1:8
19 months to less than 3 years	1:12
3 years to less than 4.5 years	1:16
4.5 years and older	1:20

**(3)** Despite subsection (1), where a group of children includes children from 2 or more of the age groups specified in the table in subsection (1),

- (a) the minimum primary staff member to children ratio is the ratio, as prescribed in subsection (1), for the age group that constitutes the majority of children in the combined group, and
- (b) the maximum number of children who may be included in the group is as follows:

<b>Age of Children in the Combined Age Group</b>		<b>Maximum Number of Children in the Combined Age Group</b>
<b>Youngest Child in the Group</b>	<b>Oldest Child in the Group</b>	
Infants	19 months to less than 3 years	10
Infants	3 years to less than 4.5 years	12
Infants	4.5 years or older	14
19 months to less than 3 years	3 years to less than 4.5 years	14
19 months to less than 3 years	4.5 years or older	16
3 years to less than 4.5 years	4.5 years or older	18

**(4)** Subject to subsection (5), a licence holder who is licensed to provide child care for 3 or more children under 12 months of age must not allow a child under 12 months of age to be included in a combined age group referred to in subsection (3) between the hours of 8:30 a.m. and 4:30 p.m.

**(5)** The director may specify times, other than those referred to in subsection (4), during which a licence holder must not allow children under 12 months of age to be included in a combined age group referred to in subsection (3).

**(5.1)** Despite subsection (4), the director may exempt a licence holder from any requirement of subsection (4) if the director is satisfied that the developmental needs of the children under 12 months of age will be met.

**(6)** For the purposes of subsections (1) and (2), a program supervisor may be included in the primary staff member to children ratio if the licensed capacity of the program requires less than 7 full-time primary staff members.

**Minimum staffing and general supervision**

**28(1)** Despite section 27 of this Schedule, a licence holder must ensure that

- (a) where 7 or more children are present at a program, whether on or off the program premises, a minimum of 2 adult staff members, one of whom is a primary staff member, are on duty, and
- (b) children are, at all times, under supervision that is adequate to ensure their safety, well-being and development.

**(2)** Where children are being transported between the program premises and school, the director may exempt the licence holder from the requirements of section 27 of this Schedule and subsection (1)(a) of this section with respect to children being transported.

**Primary staff members**

**29(1)** A licence holder must ensure that all primary staff members hold a child care certification under Part 3 of this Regulation.

**(2)** Despite subsection (1), in the case of a primary staff member who is hired as a child development assistant, the primary staff member

- (a) must obtain a child care certification as a child development assistant within 6 months of commencement with the program, and
- (b) must not have unsupervised access to children until the primary staff member has obtained a child care certification as a child development assistant.

**Staff qualifications**

**30(1)** A licence holder must ensure that, with respect to the primary staff member to children ratios specified in section 27 of this Schedule,

- (a) at all times between 8:30 a.m. and 4:30 p.m., at least one in every 4 of the primary staff members is certified at minimum as a child development worker and the other primary staff members are certified at minimum as child development assistants, and
- (b) at all other times of the day, every primary staff member is certified at minimum as a child development assistant.

(2) Despite subsection (1), on and after September 1, 2012, a licence holder must ensure that, with respect to the primary staff member to children ratios specified in section 27 of this Schedule, one in every 3 of the primary staff members is certified at minimum as a child development worker.

### **Exemptions**

**31(1)** The director may exempt a licence holder from a qualification requirement in section 26(1) or 30 of this Schedule if the director is satisfied that an exemption is appropriate in the circumstances.

(2) An exemption issued under subsection (1) must

- (a) be in writing,
- (b) be for a specified period of time, and
- (c) be accompanied with a plan, provided by the licence holder and approved by the director, addressing how the licence holder will meet the qualification requirement in respect of which the exemption is granted.

(3) A licence holder must ensure that an exemption issued under subsection (1) and the plan referred to in subsection (2)(c) are posted in a prominent place on the program premises.

AR 143/2008 Sched.1;185/2008;154/2011

## **Schedule 2**

### **Group Family Child Care Program**

#### **Definitions**

**1** In this Schedule,

- (a) “licence holder” means a person who holds a licence in respect of a group family child care program;
- (b) “program” means a group family child care program in respect of which a licence has been issued under section 5 of the Act.

## **Part 1 Program Requirements**

### **Group family child care program**

- 2(1)** A licence holder must provide a program that is in keeping with the physical, social, intellectual, creative and emotional needs of children in the program.
- (2)** A licence holder must not provide child care for more than 10 children, including the licence holder's own children.
- (3)** Of the 10 children referred to in subsection (2),
- (a) not more than 3 may be under 3 years of age, and
  - (b) not more than 2 may be infants.
- (4)** A licence holder must not provide overnight child care to children in the program.

### **Child discipline**

- 3(1)** A licence holder must ensure that
- (a) child discipline methods utilized in the program are communicated to
    - (i) parents,
    - (ii) other care providers, and
    - (iii) children, where developmentally appropriate,and
  - (b) any child disciplinary action taken is reasonable in the circumstances.
- (2)** A licence holder must not, with respect to a child in the program,
- (a) inflict or cause to be inflicted any form of physical punishment, verbal or physical degradation or emotional deprivation,
  - (b) deny or threaten to deny any basic necessity, or
  - (c) use or permit the use of any form of physical restraint, confinement or isolation.

**Off-site activity and emergency evacuation**

**4(1)** A licence holder may take a child to an activity off the program premises only where

- (a) the child's parent has been advised of the activity, including the transportation and supervision arrangements with respect to the activity, and
- (b) the child's parent has consented in writing to the child's participation in the activity.

**(2)** A licence holder must ensure that in the case of an activity off the program premises or an emergency evacuation the licence holder or other care provider takes the portable record referred to in section 22 of this Schedule in respect of each child to be taken off the program premises.

**Emergency and safety contacts and procedures**

**5(1)** A licence holder must ensure that the following telephone numbers are readily accessible:

- (a) emergency medical service;
- (b) ambulance service;
- (c) fire department;
- (d) police service;
- (e) poison control centre;
- (f) nearest hospital or emergency medical facility;
- (g) child abuse hotline.

**(2)** A licence holder must ensure that emergency evacuation procedures are made known to all care providers, and to children where developmentally appropriate.

**Accident or illness**

**6** In the case of an accident or serious illness involving a child, the licence holder must forthwith ensure that

- (a) the child's parent is notified, and
- (b) the child receives medical attention if necessary.

**Incident reporting**

**7(1)** In this section, “incident” means

- (a) a serious illness of or injury to a child that occurs while the child is attending a program, and
- (b) any other incident that occurs while a child is attending a program that may seriously affect the health or safety of the child.

**(2)** A licence holder must report each incident to the director forthwith in the manner required by the director.

**Potential health risk**

**8(1)** Subject to subsection (3), where the licence holder or other care provider knows or has reason to believe that a child is exhibiting signs or symptoms of illness as set out in subsection (2), the licence holder must ensure

- (a) that the child’s parent arranges for the immediate removal of the child from the program premises, and
- (b) that the child does not return to the program premises until the licence holder is satisfied that the child no longer poses a health risk to persons on the program premises.

**(2)** Signs or symptoms of illness exhibited by a child include the child

- (a) vomiting, having a fever, diarrhea or a new or unexplained rash or cough,
- (b) requiring greater care and attention than can be provided without compromising the care of the other children in the program, or
- (c) having or displaying any other illness or symptom the licence holder or other care provider knows or believes may indicate that the child poses a health risk to persons on the program premises.

**(3)** Subsection (1) does not apply if the child’s parent provides written notice from a physician indicating the child does not pose a health risk to persons on the program premises.

**Supervised care for sick children**

**9** A licence holder must ensure that a sick child is kept as far away as is practicable from the other children.

**Medication**

**10(1)** A licence holder may administer or allow the administration of medication to a child only where

- (a) the written consent of the child's parent has been obtained,
- (b) the medication is in the original labelled container, and
- (c) the medication is administered according to the labelled directions.

**(2)** Where medication is administered to a child, the licence holder must ensure that the following information is recorded:

- (a) the name of the medication;
- (b) the time of administration;
- (c) the amount administered;
- (d) the initials of the person who administered the medication.

**(3)** A licence holder must ensure that medication is stored in a place that is inaccessible to children.

**Health care**

**11** A licence holder may provide or allow for the provision of health care to a child only if

- (a) the written consent of the child's parent has been obtained, or
- (b) the health care provided is in the nature of first aid.

**Smoking**

**12(1)** A licence holder must ensure that no person smokes on the program premises while the child care program is being provided.

**(2)** Neither the licence holder nor any other care provider shall smoke at any time or place where child care is being provided.

**Nutrition**

**13** A licence holder must

- (a) provide or require parents to provide meals and snacks for children in the program,

- (b) where the licence holder provides meals and snacks, ensure that the meals and snacks are provided to children
  - (i) at appropriate times and in sufficient quantities in accordance with the needs of each child, and
  - (ii) in accordance with a food guide recognized by Health Canada,and
- (c) ensure that infant nutrition provided by parents is clearly labelled with the infant's name.

**Menus**

**14** A licence holder must ensure that menus for meals and snacks provided by the licence holder are available to parents.

**Manner of feeding**

**15** A licence holder must ensure that

- (a) the manner in which children are fed is appropriate to their age and level of development,
- (b) children are seated while eating and drinking, and
- (c) no beverages are provided to children while they are napping.

**Part 2****Physical Space Requirements****Diapering**

**16** A licence holder must

- (a) provide
  - (i) a change table, or
  - (ii) individual changing pads for each child requiring diapering,
- (b) ensure that children are diapered in a location that allows for appropriate supervision of the other children, and
- (c) ensure that proper hand washing procedures are followed when diapering children.

**Indoor play space**

**17** A licence holder must provide adequate indoor play space for children.

**Outdoor play space**

**18(1)** A licence holder must provide outdoor play space that is within easy and safe walking distance from the program premises.

**(2)** Where a licence holder utilizes outdoor play space that is part of the program premises, the licence holder must ensure that the outdoor play space is securely enclosed.

**Indoor and outdoor furnishings and equipment**

**19** A licence holder must ensure that

- (a) indoor and outdoor furnishings, play equipment and play materials are
  - (i) safe and maintained in good repair,
  - (ii) developmentally appropriate for children, and
  - (iii) of sufficient quantity and variety for children,and
- (b) each child under 12 months of age is provided with a separate crib or alternative infant bed approved by the director.

**Part 3**  
**Records Requirements**

**Children's records**

**20(1)** A licence holder must, in respect of each child, maintain on the program premises an up-to-date record containing the following information:

- (a) the child's name, date of birth and home address;
- (b) a completed enrolment form;
- (c) the parent's name, home address and telephone number;
- (d) the name, address and telephone number of a person who can be contacted in case of an emergency;
- (e) if medication is administered,

- (i) the written consent of the parent required under section 10(1) of this Schedule, and
  - (ii) the information required under section 10(2) of this Schedule;
  - (f) the particulars of any health care provided to the child, including the written consent of the child's parent required under section 11 of this Schedule;
  - (g) any other relevant health information about the child provided by the child's parent, including the child's immunizations and allergies, if any.
- (2)** A licence holder must ensure that a record referred to in subsection (1) is available for inspection
- (a) by the director at all times, and
  - (b) by the child's parent at reasonable times.

**Administrative records**

**21(1)** A licence holder must maintain on the program premises up-to-date administrative records containing the following information:

- (a) particulars of the daily attendance of each child, including arrival and departure times;
  - (b) the licence holder's current first aid certificate;
  - (c) evidence of the child care certification of the licence holder and any other care provider;
  - (d) with respect to each care provider who is an adult, other than the licence holder, verification that a current criminal record check required under section 23(1)(b) of this Schedule has been provided to the licence holder.
- (2)** A licence holder must ensure that
- (a) the records referred to in subsection (1) are available for inspection by the director at all times, and
  - (b) the information referred to in subsection (1)(a) is
    - (i) available for inspection by the child's parent at reasonable times, and
    - (ii) retained for a minimum period of 2 years.

**Portable record**

**22** A licence holder must maintain a portable record of emergency information that includes the following:

- (a) in respect of each child, the information referred to in section 20(1)(a), (c), (d) and (g) of this Schedule;
- (b) the telephone numbers of the local emergency response service and poison control centre.

**Part 4  
Staffing Requirements****Core requirements**

**23(1)** A licence holder must ensure that

- (a) each additional care provider is 16 years of age or older,
- (b) each care provider who is an adult provides to the licence holder a criminal record check, including a vulnerable sector search, dated not earlier than 6 months prior to the date of commencement with the program and every 3 years after that date, and
- (c) the licence holder has obtained first aid certification acceptable to the director.

**(2)** Where the licence holder is not on duty, the licence holder must ensure that at least one care provider with first aid certification acceptable to the director is on duty.

**(3)** A care provider who is under 18 years of age must not have unsupervised access to children.

**(4)** A new care provider who is an adult

- (a) must provide the criminal record check referred to in subsection (1)(b) within 8 weeks of commencement with the program, and
- (b) must not have unsupervised access to children until the criminal record check has been provided.

**Minimum staffing and general supervision**

**24** A licence holder must ensure that

- (a) where 7 or more children are present at a program, whether on or off the program premises, 2 care providers are on duty, and

- (b) children are, at all times, under supervision that is adequate to ensure the safety, well-being and development of children.

**Staff qualifications**

**25(1)** A licence holder must

- (a) be certified at minimum as a child development assistant, and
- (b) ensure that each additional child care provider is certified at minimum as a child development assistant.

**(2)** Despite subsection (1)(b), an additional child care provider

- (a) must obtain a child care certification as a child development assistant within 6 months of commencement with the program, and
- (b) must not have unsupervised access to children until the child care provider has obtained a child care certification as a child development assistant.

**(3)** Despite subsection (1), on and after September 1, 2012, the licence holder or an additional care provider must be certified at minimum as a child development worker.

AR 143/2008 Sched.2;154/2011

**Schedule 3****Innovative Child Care Program****Definitions**

**1** In this Schedule,

- (a) “licence holder” means a person who holds a licence in respect of an innovative child care program;
- (b) “program” means an innovative child care program in respect of which a licence has been issued under section 5 of the Act.

**Innovative child care program**

**2** A licence holder must provide a program that is in keeping with the physical, social, intellectual, creative and emotional needs of children in the program.

**Program standards**

- 3** A licence holder must
- (a) comply with the program standards set by the director for that program, and
  - (b) post the program standards in a prominent place on the program premises.

**Schedule 4****Out of School Care Program****Definitions**

- 1** In this Schedule,
- (a) “licence holder” means a person who holds a licence in respect of an out of school care program;
  - (b) “program” means an out of school care program in respect of which a licence has been issued under section 5 of the Act.

**Part 1****Program Requirements****Out of school care program**

- 2(1)** A licence holder must provide a program that is in keeping with the physical, social, intellectual, creative and emotional needs of children in the program.
- (2)** Where the licence holder provides transportation for a child between the child’s home and the program premises, the periods of transportation must not, for the purposes of the Act, this Regulation or this Schedule, be considered as part of the program.

**Child discipline**

- 3(1)** A licence holder must ensure that
- (a) child discipline methods utilized in the program are communicated to parents, staff and children, and
  - (b) any child disciplinary action taken is reasonable in the circumstances.
- (2)** A licence holder must not, with respect to a child in the program,

- (a) inflict or cause to be inflicted any form of physical punishment, verbal or physical degradation or emotional deprivation,
- (b) deny or threaten to deny any basic necessity, or
- (c) use or permit the use of any form of physical restraint, confinement or isolation.

**Off-site activity and emergency evacuation**

**4(1)** A licence holder may take a child to an activity off the program premises only where

- (a) the child's parent has been advised of the activity, including the transportation and supervision arrangements with respect to the activity, and
- (b) the child's parent has consented in writing to the child's participation in the activity.

**(2)** A licence holder must ensure that in the case of an activity off the program premises or an emergency evacuation a staff member takes the portable record referred to in section 21 of this Schedule in respect of each child to be taken off the program premises.

**Emergency and safety contacts and procedures**

**5(1)** A licence holder must ensure that the following telephone numbers are posted on the program premises and are readily accessible:

- (a) emergency medical service;
- (b) ambulance service;
- (c) fire department;
- (d) police service;
- (e) poison control centre;
- (f) nearest hospital or emergency medical facility;
- (g) child abuse hotline.

**(2)** A licence holder must ensure that the telephone number for an after-hours emergency program contact is posted in a place that is visible from the outside of the program premises.

**(3)** A licence holder must ensure that emergency evacuation procedures are made known to all staff and children.

**Accident or illness**

**6** In the case of an accident or serious illness involving a child, the licence holder must forthwith ensure that

- (a) the child's parent is notified, and
- (b) the child receives medical attention if necessary.

**Incident reporting**

**7(1)** In this section, "incident" means

- (a) a serious illness of or injury to a child that occurs while the child is attending a program, and
- (b) any other incident that occurs while a child is attending a program that may seriously affect the health or safety of the child.

**(2)** A licence holder must report each incident to the director forthwith in the manner required by the director.

**Potential health risk**

**8(1)** Subject to subsection (3), where a staff member knows or has reason to believe that a child is exhibiting signs or symptoms of illness as set out in subsection (2), the licence holder must ensure

- (a) that the child's parent arranges for the immediate removal of the child from the program premises, and
- (b) that the child does not return to the program premises until the licence holder is satisfied that the child no longer poses a health risk to persons on the program premises.

**(2)** Signs or symptoms of illness exhibited by a child include the child

- (a) vomiting, having a fever, diarrhea or a new or unexplained rash or cough,
- (b) requiring greater care and attention than can be provided without compromising the care of the other children in the program, or
- (c) having or displaying any other illness or symptom the staff member knows or believes may indicate that the child poses a health risk to persons on the program premises.

**(3)** Subsection (1) does not apply if the child's parent provides written notice from a physician indicating the child does not pose a health risk to persons on the program premises.

#### **Supervised care for sick children**

**9** A licence holder must ensure that a sick child is kept as far away as is practicable from the other children.

#### **Medication**

**10(1)** A licence holder may administer or allow the administration of medication to a child only where

- (a) the written consent of the child's parent has been obtained,
- (b) the medication is in the original labelled container, and
- (c) the medication is administered according to the labelled directions.

**(2)** Where medication is administered to a child, the licence holder must ensure that the following information is recorded:

- (a) the name of the medication;
- (b) the time of administration;
- (c) the amount administered;
- (d) the initials of the person who administered the medication.

**(3)** A licence holder must ensure that all medication, except medication that may be needed in an emergency, is stored in a locked container that is inaccessible to children.

#### **Health care**

**11** A licence holder may provide or allow for the provision of health care to a child only if

- (a) the written consent of the child's parent has been obtained, or
- (b) the health care provided is in the nature of first aid.

#### **Smoking**

**12(1)** A licence holder must ensure that no person smokes on the program premises.

(2) No staff member shall smoke at any time or place where child care is being provided.

#### **Nutrition**

**13** A licence holder must

- (a) provide or require parents to provide snacks for children in the program, and
- (b) where the licence holder provides snacks, ensure that the snacks are provided to children
  - (i) at appropriate times and in sufficient quantities in accordance with the needs of each child, and
  - (ii) in accordance with a food guide recognized by Health Canada.

#### **Menus**

**14** A licence holder must ensure that menus for snacks provided by the licence holder are available to parents.

### **Part 2 Physical Space Requirements**

#### **Layout of program premises**

**15** A licence holder must, with respect to the program premises, ensure that

- (a) washrooms are easily accessible to children, and
- (b) adequate space is designated for administrative and staff needs.

#### **Net floor area**

**16(1)** A licence holder must provide a minimum net floor area of 2.5 square metres per child.

(2) The net floor area must be calculated

- (a) on the basis of licensed capacity, and
- (b) by measuring
  - (i) the primary play space, and

- (ii) any other useable play space if the licence holder demonstrates to the satisfaction of the director that the licence holder has access to that play space.

**Outdoor play space**

**17** A licence holder must provide outdoor play space that is within easy and safe walking distance from the program premises.

**Indoor and outdoor furnishings and equipment**

**18** A licence holder must ensure that indoor and outdoor furnishings, play equipment and play materials are

- (a) safe and maintained in good repair,
- (b) developmentally appropriate for children, and
- (c) of sufficient quantity and variety for children.

**Part 3  
Records Requirements****Children's records**

**19(1)** A licence holder must, in respect of each child, maintain on the program premises an up-to-date record containing the following information:

- (a) the child's name, date of birth and home address;
- (b) a completed enrolment form;
- (c) the parent's name, home address and telephone number;
- (d) the name, address and telephone number of a person who can be contacted in case of an emergency;
- (e) if medication is administered,
  - (i) the written consent of the parent required under section 10(1) of this Schedule, and
  - (ii) the information required under section 10(2) of this Schedule;
- (f) the particulars of any health care provided to the child, including the written consent of the child's parent required under section 11 of this Schedule;

- (g) any other relevant health information about the child provided by the child's parent, including the child's immunizations and allergies, if any.

**(2)** A licence holder must ensure that a record referred to in subsection (1) is available for inspection

- (a) by the director at all times, and
- (b) by the child's parent at reasonable times.

#### **Administrative records**

**20(1)** A licence holder must maintain on the program premises up-to-date administrative records containing the following information:

- (a) particulars of the daily attendance of each child, including arrival and departure times;
- (b) particulars of the daily attendance of each primary staff member, including
  - (i) arrival and departure times, and
  - (ii) hours spent providing child care;
- (c) with respect to each primary staff member,
  - (i) evidence of the member's child care certification, and
  - (ii) a current first aid certificate, where applicable;
- (d) with respect to each staff member and each volunteer referred to in section 22(1)(a) of this Schedule, verification that a current criminal record check required under that section has been provided to the licence holder.

**(2)** A licence holder must ensure that

- (a) the records referred to in subsection (1) are available for inspection by the director at all times,
- (b) the information referred to in subsection (1)(a) is available for inspection by the child's parent at reasonable times, and
- (c) the information referred to in subsection (1)(a) and (b) is retained for a minimum period of 2 years.

**Portable record**

**21** A licence holder must maintain a portable record of emergency information that includes the following:

- (a) in respect of each child, the information referred to in section 19(1)(a), (c), (d) and (g) of this Schedule;
- (b) the telephone numbers of the local emergency response service and poison control centre.

**Part 4  
Staffing Requirements****Core requirements**

**22(1)** A licence holder must ensure that

- (a) each staff member and each volunteer who has unsupervised access to children
  - (i) is an adult, and
  - (ii) provides to the licence holder a criminal record check, including a vulnerable sector search, dated not earlier than 6 months prior to the date of commencement with the program and every 3 years after that date,

and

- (b) a minimum of one in every 2 of the primary staff members has first aid certification acceptable to the director.

**(2)** A new staff member

- (a) must provide the criminal record check referred to in subsection (1)(a)(ii) within 8 weeks of commencement with the program, and
- (b) must not have unsupervised access to children until the criminal record check has been provided.

**(3)** A licence holder must ensure that at least one staff member with first aid certification acceptable to the director is on duty at all times.

**Program supervisor**

**23(1)** A licence holder must ensure that a program supervisor is on the staff of the program at all times.

(2) When the program supervisor is not on the program premises, the program supervisor must designate a staff member to assume the responsibilities of the program supervisor during the program supervisor's absence.

#### **Ratios and maximum group size**

**24(1)** A licence holder must ensure that, at all times, the following requirements are met with respect to

- (a) the minimum primary staff member to children ratio, and
- (b) the maximum number of children who may be included in a group:

<b>School Grade</b>	<b>Primary Staff Member to Children Ratio</b>	<b>Maximum Number of Children in a Group</b>
Kindergarten children	1:10	20
Children attending grades 1 and higher	1:15	30

(2) For the purpose of subsection (1), a program supervisor may be included in the primary staff member to children ratio.

(3) Despite subsection (1), where a group of children includes children from the 2 school grade groups specified in the table in subsection (1),

- (a) the maximum group size is 25, and
- (b) the minimum primary staff member to children ratio is the ratio, as prescribed in subsection (1), for the school grade group that constitutes the majority of children in the combined group.

#### **Minimum staffing and general supervision**

**25(1)** Despite section 24 of this Schedule, a licence holder must ensure that

- (a) where 7 or more children are present at a program, whether on or off the program premises, a minimum of 2 adults, one of whom is a primary staff member, are on duty, and
- (b) children are, at all times, under supervision that is adequate to ensure their safety, well-being and development.

(2) Where children are being transported between the program premises and school, the director may exempt the licence holder from the requirements of section 24 of this Schedule and subsection (1)(a) of this section with respect to children being transported.

#### **Primary staff members**

**26(1)** A licence holder must ensure that all primary staff members hold a child care certification under Part 3 of this Regulation.

(2) Despite subsection (1), in the case of a primary staff member who is hired as a child development assistant, the primary staff member

- (a) must obtain a child care certification as a child development assistant within 6 months of commencement with the program, and
- (b) must not have unsupervised access to children until the primary staff member has obtained a child care certification as a child development assistant.

#### **Staff qualifications**

**27(1)** A licence holder must ensure that, with respect to the primary staff member to children ratios specified in section 24 of this Schedule, each primary staff member is certified at minimum as a child development assistant.

(2) Despite subsection (1), on and after September 1, 2012, a licence holder must ensure that, with respect to the primary staff member to children ratios specified in section 24 of this Schedule, one in every 4 of the primary staff members is certified at minimum as a child development worker.

#### **Exemptions**

**28(1)** The director may exempt a licence holder from a qualification requirement in section 27 of this Schedule if the director is satisfied that an exemption is appropriate in the circumstances.

(2) An exemption issued under subsection (1) must

- (a) be in writing,
- (b) be for a specified period of time, and
- (c) be accompanied with a plan, provided by the licence holder and approved by the director, addressing how the

licence holder will meet the qualification requirement in respect of which the exemption is granted.

**(3)** A licence holder must ensure that an exemption issued under subsection (1) and the plan referred to in subsection (2)(c) are posted in a prominent place on the program premises.

AR 143/2008 Sched.4;154/2011

## **Schedule 5**

### **Pre-school Program**

#### **Definitions**

**1** In this Schedule,

- (a) “licence holder” means a person who holds a licence in respect of a pre-school program;
- (b) “program” means a pre-school program in respect of which a licence has been issued under section 5 of the Act.

#### **Part 1**

### **Program Requirements**

#### **Pre-school program**

**2(1)** A licence holder must provide a program that is in keeping with the physical, social, intellectual, creative and emotional needs of children in the program.

**(2)** A licence holder must not provide overnight child care to children in the program.

**(3)** Where the licence holder provides transportation for a child between the child’s home and the program premises, the periods of transportation must not, for the purposes of the Act, this Regulation or this Schedule, be considered as part of the program.

#### **Child discipline**

**3(1)** A licence holder must ensure that

- (a) child discipline methods utilized in the program are communicated to
  - (i) parents,
  - (ii) staff, and

(iii) children, where developmentally appropriate,

and

(b) any child disciplinary action taken is reasonable in the circumstances.

**(2)** A licence holder must not, with respect to a child in the program,

(a) inflict or cause to be inflicted any form of physical punishment, verbal or physical degradation or emotional deprivation,

(b) deny or threaten to deny any basic necessity, or

(c) use or permit the use of any form of physical restraint, confinement or isolation.

#### **Off-site activity and emergency evacuation**

**4(1)** A licence holder may take a child to an activity off the program premises only where

(a) the child's parent has been advised of the activity, including the transportation and supervision arrangements with respect to the activity, and

(b) the child's parent has consented in writing to the child's participation in the activity.

**(2)** A licence holder must ensure that in the case of an activity off the program premises or an emergency evacuation a staff member takes the portable record referred to in section 19 of this Schedule in respect of each child to be taken off the program premises.

#### **Emergency and safety contacts and procedures**

**5(1)** A licence holder must ensure that the following telephone numbers are readily accessible:

(a) emergency medical service;

(b) ambulance service;

(c) fire department;

(d) police service;

(e) poison control centre;

(f) nearest hospital or emergency medical facility;

(g) child abuse hotline.

(2) A licence holder must ensure that emergency evacuation procedures are made known to all staff, and to children where developmentally appropriate.

#### **Accident or illness**

**6** In the case of an accident or serious illness involving a child, the licence holder must forthwith ensure that

- (a) the child's parent is notified, and
- (b) the child receives medical attention if necessary.

#### **Incident reporting**

**7(1)** In this section, "incident" means

- (a) a serious illness of or injury to a child that occurs while the child is attending a program, and
- (b) any other incident that occurs while a child is attending a program that may seriously affect the health or safety of the child.

(2) A licence holder must report each incident to the director forthwith in the manner required by the director.

#### **Potential health risk**

**8(1)** Subject to subsection (3), where a staff member knows or has reason to believe that a child is exhibiting signs or symptoms of illness as set out in subsection (2), the licence holder must ensure

- (a) that the child's parent arranges for the immediate removal of the child from the program premises, and
- (b) that the child does not return to the program premises until the licence holder is satisfied that the child no longer poses a health risk to persons on the program premises.

(2) Signs or symptoms of illness exhibited by a child include the child

- (a) vomiting, having a fever, diarrhea or a new or unexplained rash or cough,
- (b) requiring greater care and attention than can be provided without compromising the care of the other children in the program, or

- (c) having or displaying any other illness or symptom the staff member knows or believes may indicate that the child poses a health risk to persons on the program premises.

**(3)** Subsection (1) does not apply if the child's parent provides written notice from a physician indicating the child does not pose a health risk to persons on the program premises.

#### **Supervised care for sick children**

**9** A licence holder must ensure that a sick child is

- (a) kept as far away as is practicable from the other children, and
- (b) directly supervised by a primary staff member.

#### **Medication**

**10(1)** A licence holder may administer or allow the administration of medication to a child only where

- (a) the written consent of the child's parent has been obtained,
- (b) the medication is in the original labelled container, and
- (c) the medication is administered according to the labelled directions.

**(2)** Where medication is administered to a child, the licence holder must ensure that the following information is recorded:

- (a) the name of the medication;
- (b) the time of administration;
- (c) the amount administered;
- (d) the initials of the person who administered the medication.

**(3)** A licence holder must ensure that

- (a) subject to clause (b), all medication is stored in a locked container that is inaccessible to children, and
- (b) medication that may be needed in an emergency is stored in a place that is inaccessible to children.

**Health care**

**11** A licence holder may provide or allow for the provision of health care to a child only if

- (a) the written consent of the child's parent has been obtained, or
- (b) the health care provided is in the nature of first aid.

**Smoking**

**12(1)** A licence holder must ensure that no person smokes on the program premises.

**(2)** No staff member shall smoke at any time or place where child care is being provided.

**Nutrition**

**13** A licence holder must ensure that snacks are provided to children at appropriate times in accordance with the needs of each child.

## **Part 2 Physical Space Requirements**

**Layout of program premises**

**14** A licence holder must, with respect to the program premises, ensure that areas used for child care have a layout that is conducive to effective supervision of children.

**Net floor area**

**15(1)** A licence holder must provide a minimum net floor area of 2.5 square metres per child.

- (2)** The net floor area must be calculated
- (a) on the basis of licensed capacity, and
  - (b) by measuring the primary play space.

**Furnishings and equipment**

**16** A licence holder must ensure that

- (a) furnishings, play equipment and play materials are
  - (i) safe and maintained in good repair,

- (ii) developmentally appropriate for children, and
  - (iii) of sufficient quantity and variety for children,
- and
- (b) books, toys and play equipment that support literacy development are available to children.

### **Part 3 Records Requirements**

#### **Children's records**

**17(1)** A licence holder must, in respect of each child, maintain on the program premises an up-to-date record containing the following information:

- (a) the child's name, date of birth and home address;
- (b) a completed enrolment form;
- (c) the parent's name, home address and telephone number;
- (d) the name, address and telephone number of a person who can be contacted in case of an emergency;
- (e) if medication is administered,
  - (i) the written consent of the parent required under section 10(1) of this Schedule, and
  - (ii) the information required under section 10(2) of this Schedule;
- (f) the particulars of any health care provided to the child, including the written consent of the child's parent required under section 11 of this Schedule;
- (g) any other relevant health information about the child provided by the child's parent, including the child's immunizations and allergies, if any.

**(2)** A licence holder must ensure that a record referred to in subsection (1) is available for inspection

- (a) by the director at all times, and
- (b) by the child's parent at reasonable times.

**Administrative records**

**18(1)** A licence holder must maintain on the program premises up-to-date administrative records containing the following information:

- (a) particulars of the daily attendance of each child, including arrival and departure times;
- (b) with respect to
  - (i) each staff member
    - (A) evidence of the child care certification of the staff member, and
    - (B) a current first aid certificate, where applicable,
  - and
  - (ii) each staff member and each volunteer other than a parent volunteer referred to in section 20(1)(a) of this Schedule, verification that a current criminal record check required under that section has been provided to the licence holder.

**(2)** A licence holder must ensure that

- (a) the records referred to in subsection (1) are available for inspection by the director at all times,
- (b) the information referred to in subsection (1)(a) is available for inspection by the child's parent at reasonable times, and
- (c) the information referred to in subsection (1)(a) is retained for a minimum period of 2 years.

**Portable record**

**19** A licence holder must maintain a portable record of emergency information that includes the following:

- (a) in respect of each child, the information referred to in section 17(1)(a), (c), (d) and (g) of this Schedule;
- (b) the telephone numbers of the local emergency response service and poison control centre.

## Part 4 Staffing Requirements

### Core requirements

**20(1)** A licence holder must ensure that

- (a) each staff member and each volunteer who has unsupervised access to children, other than a parent volunteer,
  - (i) is an adult, and
  - (ii) provides to the licence holder a criminal record check, including a vulnerable sector search, dated not earlier than 6 months prior to the date of commencement with the program and every 3 years after that date,

and

- (b) a minimum of one in every 2 of the staff members has first aid certification acceptable to the director.

**(2)** A new staff member

- (a) must provide the criminal record check referred to in subsection (1)(a)(ii) within 8 weeks of commencement with the program, and
- (b) must not have unsupervised access to children until the criminal record check has been provided.

**(3)** A licence holder must ensure that at least one staff member with first aid certification acceptable to the director is on duty at all times.

### Ratios

**21(1)** A licence holder must ensure that, at all times, the following requirements are met with respect to the minimum staff member to children ratio:

Age of Children	Staff Member to Children Ratio
19 months to less than 3 years	1:6
3 years and older	1:12

**(2)** For the purposes of subsection (1), parent volunteers may be considered as staff members.

**Minimum staffing and general supervision**

**22(1)** Despite section 21 of this Schedule, a licence holder must ensure that

- (a) where 7 or more children are present at a program, whether on or off the program premises, a minimum of 2 staff members, one of whom is an adult, are on duty, and
- (b) children are, at all times, under supervision that is adequate to ensure their safety, well-being and development.

**(2)** For the purposes of subsection (1), a parent volunteer is considered to be a staff member.

**Staff qualifications**

**23(1)** A licence holder must ensure that all staff members are certified at minimum as child development assistants.

**(2)** Despite subsection (1), on and after September 1, 2012, a licence holder must ensure that one in every 4 of the staff members is certified at minimum as a child development worker.

**(3)** Despite subsection (1), in the case of a staff member who is hired as a child development assistant, the staff member

- (a) must obtain a child care certification as a child development assistant within 6 months of commencement with the program, and
- (b) must not have unsupervised access to children until the staff member has obtained a child care certification as a child development assistant.

**Exemptions**

**24(1)** The director may exempt a licence holder from a qualification requirement in section 23 of this Schedule if the director is satisfied that an exemption is appropriate in the circumstances.

**(2)** An exemption issued under subsection (1) must

- (a) be in writing,
- (b) be for a specified period of time, and
- (c) be accompanied with a plan, provided by the licence holder and approved by the director, addressing how the

licence holder will meet the qualification requirement in respect of which the exemption is granted.

(3) A licence holder must ensure that an exemption issued under subsection (1) and the plan referred to in subsection (2)(c) are posted in a prominent place on the program premises.

AR 143/2008 Sched.5;154/2011

## Schedule 6

### Application for a Child Care Licence

1. This is an application

(a) by  an individual  
 a corporation

(b) for  an initial licence  
 a renewal of a licence

Expiry date of current licence: \_\_\_\_\_

2. In the past 2 years, has the applicant

(a) applied for an initial licence or renewal of a licence that has been refused  Yes  No

(b) had its licence suspended and reinstatement of the licence refused  Yes  No

(c) held a licence that was cancelled  Yes  No

3. (a) Applicant information

Name of applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Name of contact person if the applicant is a corporation: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Licence numbers of any licences currently held: \_\_\_\_\_

(b) Program information

Name of program or proposed program: \_\_\_\_\_

Address of program premises or proposed program premises: \_\_\_\_\_

Mailing address if different from above: \_\_\_\_\_

Telephone number: \_\_\_\_\_

4. Complete this section only in the case of an application for an initial licence.

(a) Indicate the child care program to be provided, the age groups of children to whom child care is proposed to be provided and the proposed number of children in each group:

- Day Care Program
  - \_\_\_\_\_ Infants less than 12 months
  - \_\_\_\_\_ Infants 12 months to less than 19 months
  - \_\_\_\_\_ 19 months to less than 3 years
  - \_\_\_\_\_ 3 years to less than 4.5 years
  - \_\_\_\_\_ Kindergarten children
- Group Family Child Care Program
  - \_\_\_\_\_ Infants
  - \_\_\_\_\_ 19 months to less than 3 years
  - \_\_\_\_\_ 3 years to less than 4.5 years
  - \_\_\_\_\_ Kindergarten children
  - \_\_\_\_\_ Children attending grades 1-6
- Out of School Care Program
  - \_\_\_\_\_ Kindergarten children
  - \_\_\_\_\_ Children attending grades 1-6
- Pre-school Program
  - \_\_\_\_\_ 19 months to less than 3 years
  - \_\_\_\_\_ 3 years to less than 4.5 years
  - \_\_\_\_\_ Kindergarten children
- Innovative Child Care Program

(b) The following are attached:

- a criminal record check, including a vulnerable sector search, dated within the past 6 months for the following:
  - the applicant
  - each adult residing on the proposed group family child care premises, if applicable
- licence application fee of \$200 payable to the President of Treasury Board and Minister of Finance
- program plan
- staffing plan

- administrative policies and procedures relating to the proposed child care program
- evidence of the applicant's corporate status if the licence holder is a corporation
- evidence that the proposed program premises are in compliance with applicable zoning, health and safety legislation
- any other information required by the director

\_\_\_\_\_  
(signature of applicant)

\_\_\_\_\_  
(date)

5. Complete this section only in the case of an application for a renewal of a licence.

(a) Current licensed capacity: \_\_\_\_\_

(b) If requesting a change in licensed capacity, indicate the numbers of children by age group:

Age group	Current number of children	Proposed number of children
Infants less than 12 months	_____	_____
Infants 12 months to less than 19 months	_____	_____
19 months to less than 3 years	_____	_____
3 years to less than 4.5 years	_____	_____
Kindergarten children	_____	_____
Children attending grades 1-6	_____	_____

(c) The following are attached:

- if a criminal record check required by this Regulation was completed 3 years ago or earlier, an updated criminal record check, including a vulnerable sector search, for the following:
  - the applicant
  - each adult residing on the group family child care premises, if applicable
- application fee of \$100 payable to the President of Treasury Board and Minister of Finance
- any other information required by the director

- (d) If any changes have been made to the following, attach current copies:
- program plan
  - staffing plan
  - program's administrative policies and procedures
  - if the licence holder is a corporation, evidence of the applicant's corporate status
  - proof of general liability insurance
  - evidence that the program premises are in compliance with applicable zoning, health and safety legislation

\_\_\_\_\_  
(signature of applicant)

\_\_\_\_\_  
(date)

AR 143/2008 Sched.6;31/2012;62/2013

### Schedule 7

#### Notice of Appeal to an Appeal Panel

1. Name of person appealing: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone number: \_\_\_\_\_

2. I am

a licence holder

(a) program name: \_\_\_\_\_

(b) licence number: \_\_\_\_\_

a person who applied for a licence or a renewal of a licence

3. I am appealing the director's decision to

Section of Child Care  
Licensing Act

- |                                                                  |         |
|------------------------------------------------------------------|---------|
| <input type="checkbox"/> issue a licence subject to conditions   | 5(1)(a) |
| <input type="checkbox"/> renew a licence subject to conditions   | 5(1)(a) |
| <input type="checkbox"/> refuse to issue a licence               | 5(1)(b) |
| <input type="checkbox"/> refuse to renew a licence               | 5(1)(b) |
| <input type="checkbox"/> refuse to vary a provision of a licence | 6(2)    |

<input type="checkbox"/>	vary a provision of a licence	12
<input type="checkbox"/>	impose conditions on a licence	13
<input type="checkbox"/>	issue an order	14
<input type="checkbox"/>	suspend a licence and issue a probationary licence	15(1)
<input type="checkbox"/>	refuse to reinstate a suspended licence	15(5)
<input type="checkbox"/>	cancel a licence	16

4. I received the attached decision of the director on (dd/mm/yy).

(Attach a copy of the decision being appealed.)

\_\_\_\_\_  
(signature of person appealing)

\_\_\_\_\_  
(date)





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