

AECEA’s Response to the Early Learning and Child Care Regulation Changes January 2021

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Background

The Association of Early Childhood Educators of Alberta (AECEA) is a member-based, non-profit society whose mission is to transform Alberta's early learning and child care (ELCC) workforce into a recognized profession. AECEA acts as the voice of early childhood educators (ECEs) advocating for higher educational standards, better wages and working conditions, and comprehensive system supports.

AECEA has developed a [10-point framework](#) (2018) that outlines the steps towards a system of high-quality ELCC supported by the work of ECEs who are highly qualified, capable, valued, and well-paid.

The COVID-19 pandemic has made it quite clear that Albertans need accessible, affordable, high-quality child care. AECEA has known for some time that "quality child care increases female labour force participation and helps to eliminate poverty. It creates jobs and stimulates economic development. It helps to build strong families and strong communities" (AECEA, 2018, p. 2).

In 2018 and 2019, the AECEA board and Mount Royal University Capstone students held community engagement sessions across the province to get feedback on the recommendations in the 10-point plan. AECEA heard that, with funding, workplace support, post-secondary options, and clear pathways, ECEs were eager to further their education and have access to ongoing professional learning. In late 2019, AECEA began work on its regulation review submission, incorporating its 10-point plan recommendations. This submission was grounded in research-based evidence and stakeholder consultation. In February 2020, AECEA shared its regulation review submission entitled [Getting It Right: Recommendations for Improving Alberta's Child Care Licensing Legislation](#).

The top-three recommendations from AECEA's *Getting it Right* (2020) document were:

1. raising education and education-related standards for ECEs across Alberta's ELCC system,
2. legislating mandatory ongoing professional learning for ECEs
3. adopting [Alberta's Early Learning Curriculum Framework, *Flight*](#), within all licensed and approved ELCC programs in the province

During the regulation review, many stakeholder organizations agreed that the educational preparation of ECEs, ongoing professional learning and adoption of the *Flight* curriculum framework was vital for high-quality programs.

They also were concerned with

- quality being enshrined in the regulations
- quality not being compromised by red tape reduction
- the rights of children
- Judge Hawkes' recommendations from the Public Inquiry on the death of a child in unlicensed care
- changes to outdoor play
- investing in affordability and true accessibility.

Stakeholder submissions can be reviewed on the [AECEA website](#).

Changes to the Early Learning and Child Care Regulations

AECEA knows that Alberta's ECEs need to be well-prepared to provide high-quality services for children and families, but they also need the tools necessary to implement changes that are coming with the amended Child Care Act and Regulations. Planning needs to be in place by the government and by programs to ensure that program supervisors and ECEs understand and can implement the changes in a way that best serves children and families.

On February 1, 2021, the revised *Early Learning and Child Care Act* (formally the Child Care Licensing Act) and its accompanying Regulations will come into force. At the time of writing, operators, program supervisors, ECEs, and stakeholder organizations like AECEA have not seen a copy of the final Act and Regulations. The government has released [Bill 39: Child Care Licensing \(Early Learning and Child Care Amendment Act\)](#), a [Changes in Child Care](#) document, and a [Child Care Licensing Handbook for Facility-Based Programs](#). Also available through [The Alberta Gazette](#), the Government of Alberta's official newspaper, is a copy of the amendments to the Act and Regulations. The Queen's Printer will have new versions of both the Act and Regulations available soon with the amendments incorporated, which should be easier to read.

The government's definition for the *Early Learning and Child Care Act* states it "provides the Alberta government the authority to support, license, inspect, and monitor child care programs" (Government of Alberta, 2021b, p. 7). The *Early Learning and Child Care Regulation* "specifies the minimum standards to be upheld by all licensed facility-based child care programs. These regulations include requirements such as health and safety of children, quality of care, early learning, and supervision of children" (Government of Alberta, 2021b, p. 7).

AECEA provides a summary of changes to the Act in the recently released document, [AECEA's Response to Alberta's Early Learning and Child Care Legislation Changes](#) (2021). Readers will find a summary of significant changes to the Regulations in the chart found on the [AECEA website](#).

AECEA recognizes the hard work done by the Government of Alberta in revising the Act and Regulations. Many areas use more current terminology, streamline processes, and provide flexibility for operators.

Regulation Changes in a High-Quality Early Learning and Child Care System

The recent report by Jane Beach, [An Examination of Regulatory and Other Measures to Support Quality Early Learning and Child Care in Alberta](#) (2020), states that "quality at the program level is usually conceptualized by structural and process elements" (p. 30) and that these elements are interrelated. When done well, these elements come together to create high-quality ELCC.

Structural Elements of Quality (Beach, 2020, p. 30)	
Staff qualifications	- usually found within regulation
Child to early childhood educator ratios	- are a necessary foundation for quality
Group Size	- these elements are dependent on each other and cannot be looked at in isolation
Indoor & outdoor physical environment	- needed for process elements to be effective
Existence of program statements, philosophy, and/or a curriculum framework	

Process Elements of Quality (Beach, 2020, p. 31)	
Interactions <ul style="list-style-type: none"> - between ECEs and children - among children - between ECEs and families - between ECEs - between ECEs and other professionals 	<ul style="list-style-type: none"> - describe children and families' experiences in ELCC settings <p>These elements, the process elements of quality in ELCC, are "the primary driver of gains in children's development" (Garon-Carrier, 2019 as cited in Edmonton Council on Early Learning and Care, 2020)</p>
Type of activities available to children	
Pedagogical approach	
Nature of the physical environment	

The definition of 'quality' in the *Child Care Licensing handbook for Facility-Based Programs* (Government of Alberta, 2021b) reads "quality in child care means a program that meets the early learning and developmental needs of children. This includes providing qualified early childhood educators, age appropriate programming and planning, access to space, materials, toys and equipment in a safe premise, providing an inclusive environment that supports diversity, ensuring responsive interactions between staff and children occur and supporting effective parent engagement in program planning and evaluation" (p. 11).

This definition includes many process elements that Beach (2020) describes. Some of these elements are also found in the Act's 'Principles' and 'Matters to be Considered' (The Legislative Assembly of Alberta, 2020, p. 3-4). For details, see Appendix A. They will be required to be incorporated into program plans. However, the structural elements, that are to underpin process elements, do not build quality. For example, the amended regulations regarding the structural aspect of 'ratio' (including mixed age groups) may reduce quality since the government has not indicated an increase to staff qualifications. ECEs who are highly qualified will be better prepared to respond to the stress of additional children and mixed-age groups.

Research shows the "single most critical factor affecting the quality of early learning and care programs is the knowledge, skills and stability of the early childhood workforce" (as cited in Beach, 2020, p. 32).

How will programs be supported to write the 'Principles' and 'Matters to be Considered' into their program plans? Will licensing officers have the ELCC background to provide this pedagogical support?

How will the 'Principles' and 'Matters to be Considered' be enforced?

With the amended licensing renewal rules, when will program plans be reviewed, reconsidered, and revised?

Regulations provide a very broad basis for improvements in quality and accountability. However, a combination of regulatory, funding, policy and practice measures is required to build a high-quality system of ELCC that is planned for, accessible, and meets the needs of all children and their families.

With the end of the accreditation process, the government has "created a void in the provision of supports to develop, assess and advance quality in early learning and child care programs" (Muttart Foundation, 2020, p. 2). Programs must hold themselves accountable for providing high-quality ELCC without much direction from the Act or Regulations.

Early Childhood Educator Workforce: Our Most Valued Asset

ECEs are the ELCC sector's most important asset. And yet, they go without recognition and respect. There is minimal mention of ECEs in the Act and Regulations. If ECEs are the constructors of quality in ELCC, they should be included in the '*Principles*' and '*Matters to be Considered*' (The Legislative Assembly of Alberta, 2020, p. 3-4). For more discussion on this, AECEA asks that you refer to the recently released document, [AECEA's Response to the Early Learning and Child Care Legislation Changes](#) (2021, p. 8-10).

In the Regulations, there is also minimal reference to ECEs, other than the name change of certification levels (The Alberta Gazette, 2021, p. 1087).

Previous Child Care Licensing Regulations	Amended Early Learning and Child Care Licensing Regulations
Child Development Assistant	Level 1 Early Childhood Educator
Child Development Worker	Level 2 Early Childhood Educator
Child Development Supervisor	Level 3 Early Childhood Educator

Other references to ECEs in the Act and Regulations include

- imposing terms on, suspension or cancellation of ECE certification based on conduct requirements (that have not been specified)
- staffing requirements (as in the previous regulations- criminal record checks, first aid, child-to-ECE ratios)
- the removal of staff educational requirements (to be written into government policy)

In the *Changes to Child Care* document (Government of Alberta, 2021a), ECEs are mentioned once, "certified early childhood educators help children build skills that support their growth and overall health" (p. 2). The *Child Care Licensing Handbook* (Government of Alberta, 2021b) states that "...Early childhood educators play a vital role supporting children and families across the province" (p. 8). It also mentions the importance of their educational level and certification but does not specify the expectations.

AECEA believes that the work of ECEs should be given the utmost respect. These tireless, dedicated professionals create places of vitality alongside children, families, and communities (Makovichuk et al., 2014). It is important that they be seen as a legitimate and vital part of the ELCC system that serves children and families.

ECEs are co-learners, co-researchers, and co-imaginings of possibilities who use their in-depth knowledge of child development, pedagogy, and the *Flight* curriculum framework to guide their work (Makovichuk et al., 2014). They should work in supportive environments where best practices flourish, and there is a high emphasis placed on lifelong learning (AECEA, 2018). A workplace where their work is valued by their colleagues, employers, other professionals, families, communities, and government. And this value is demonstrated through respect, pathways to and bursaries for advancing education, good working conditions, fair and equitable compensation, a pension plan, benefits and more.

What education, training, workplace supports, and funding will be required to ensure ECEs have the competencies to follow the amended regulations and ensure safety and quality for Alberta's children?

A Closer Look at Regulation Changes

Ratios

Some changes to the facility-based ratios have been made. The government has indicated that this "will allow greater flexibility for daycare programs to operate while maintaining the safety of younger children" (Government of Alberta, 2021a, p. 14).

Research shows that children fare better in programs with lower ratios and group sizes (Beach, 2020). AECEA also knows that when striving for quality, regulations cannot be looked at in isolation. "For example, higher child-to-staff ratios might make sense if staff have a strong educational background, but they might be harmful if staff have little education" (Lesoway, 2020a). While Alberta's ratios are similar to those across Canada, our ECE qualification requirements are, for the most part, lower (Beach, 2020). Ratios and group sizes affect ECE morale and retention, thereby influencing the quality of care children experience (Childcare Research and Resource Unit, 2020).

Another consideration is the ratio for sleeping children or "rest periods" (Government of Alberta, 2021b). The Regulations continue to double the number of children ECEs must care for during rest periods, with ratios ranging from 1:6 to 1:20.

With the introduction of overnight care, this rest period ratio might mean one ECE with 20 children. ECEs will need to both interact with families during pick up and drop off and be responsive to children's needs in this type of specialized care. They will also be responsible to respond quickly and effectively in the case of an emergency. Overnight care will involve much more than simply supervising sleeping children.

In regard to ratios, program supervisors and ECEs may want to consider:

- the level of staff qualification in relation to the classroom ratio
- how changes to ratio will impact ECEs working on the floor and how the impact can be mitigated, so ECEs stay mentally and physically healthy
- lowering ratios for rest periods to ensure children's safety and well-being
- in the case of overnight care,
 - ensuring "an additional staff member will be immediately available if there is an emergency" (Beach, 2020, p. 5)
 - how ECEs will balance being responsive to the children given this specialized type of care and interacting with the families during pick up and drop off times

Mixed Age Groups

In the amended regulations, programs may allow children 19 months and up to be in mixed-age classrooms. There are benefits to mixed-age groups in programs. Program supervisors have stated that mixed-age groups

- increase flexibility for programs
- allow siblings to stay together through the day
- decrease transitions between rooms, and
- allow for consistency of care (children remain with the same ECEs for multiple years)

A Childcare Resource and Research Unit briefing note from 2014 called [*What Does the Research say about Multi-age Grouping for Infants, Toddlers and Preschoolers?*](#) affirms that mixed-age groups

- allow "more opportunities for older children to display sympathy and nurturance towards younger children and for younger children to learn from their older peers" (p. 2)
- are helpful in rural and remote areas where child care options are limited
- support unique and diverse child care needs of various cultural and linguistic communities, such as First Nations, Métis, Inuit and Francophone communities

ECEs working in licensed day homes have mixed-age group experiences daily. AECEA must note, though, day home educators work with smaller numbers of children and have limits on the ages of children that can be in care at the same time. When working with larger groups in facility-based programs, caring for children in mixed-age groups will require specialized knowledge and education. This is not something that comes naturally for all ECEs.

The regulation changes state that mixed-age groups will be allowed for children 19 months and up with a ratio based on the majority of the children in the room. This means programs could see very young children in the same room as mostly 4-year-olds. These children are all at different stages and require the time, attention, and opportunity to play, develop and learn at their own pace and without distraction. It will require careful attention to planning on behalf of the ECE for high-quality experiences to happen.

While there has not been extensive research done on this topic, the work done has looked at small ELCC programs who have a highly trained staff committed and intentional in their pedagogical approach to mixed-age groups (Childcare Resource and Resource Unit, 2014).

If a program is considering mixed-age groups, the program supervisors and ECEs may want to discuss (Childcare Resource and Resource Unit, 2014):

- prorated ratios for mixed-age classrooms
- keeping group sizes small
 - o significantly limiting the numbers of children between 19 months and three years old
- staffing and ECE education and training
 - o programs with low staff turnover and a highly trained team will be more successful
 - o what their pedagogical approach to mixed-age groups will be
- how their program plan will address mixed-age groups, ensuring safety and the developmental and early learning needs of groups of children with wide age ranges
- their programming, play and art materials, outdoor time, and nap schedules

How will the government provide support and training to ECEs to work most effectively with mixed-age groups?

Overnight Care

The amended Regulations have removed the restriction that programs cannot provide overnight care. Before this, the only option for licensed overnight care was in approved family day homes. Although availability might have been an issue, this has worked well for both families and children as it is flexible and meets children's needs.

Family-focused government and employer policies can reduce the need for non-standard hours care. These policies can include "providing parents with flexible schedules, allowing them to work from home, or accommodating shifts so that parents can work at the times they have access to child care" (Halfon & Friendly, 2015, p. 28). There have been court cases in which parents successfully fought for their family status rights under the *Canadian Human Rights Act*. One of these cases was a "single mother in Fort McMurray, Alberta who worked as a laborer in the oil patch and was required to work rotating day and night shifts. The Alberta court ruled that the employer had an obligation to accommodate her work schedule with respect to her child care responsibilities" (Halfon & Friendly, 2015, p. 31).

Will the government consider family support policies that would limit the need for parents of young children to work in overnight positions?

What data gathered shows that families need, would prefer, and use overnight care?

There are a few other jurisdictions that have non-standard hours. However, many that have tried have not been sustained. Certain factors play into the success of programs offering non-standard hours care.

If a program is considering offering overnight care, the program supervisors and ECEs may want to think about:

- the additional administrative support necessary to deal with fluctuating parental arrangements
- staffing (more manageable with a larger cohort of qualified ECEs available)
- choosing to have a lower ratio allowing for responsive interactions appropriate for this type of child care
- the need for funding in addition to parent fees and regular government funding (research shows that this is essential to remaining viable)
- if they have strong program leadership and commitment to the program (this helps to ensure quality is maintained)

Will there be additional funding directed to programs that choose to offer overnight care?

Will there be government support to attract qualified ECEs to staff and supervise the child care programs that are providing overnight care?

How will the quality of ELCC be measured and monitored in child care programs that are providing overnight care?

Will there be a limit on how many hours in a 24-hour period a child can be in care?

Is overnight care in the best interests of children? Does it contribute to children's well-being?

Outdoor Play Space Requirements

Outdoor space requirements in Alberta's ELCC programs fall below standards in other jurisdictions (Beach, 2020). [Recommendations on outdoor play from Get Outside & Play \(2020b\)](#) were comprehensive and considered the current research. Despite the research that outdoor play is essential for children's well-being and development, the regulations do not include any additions recommended by Get Outside & Play and other stakeholders.

The only regulation change related to outdoor play is that all programs can apply for an exemption if they cannot fence their outdoor space (previously, this was only allowed on school properties). While this may increase flexibility for programs, it may limit the time children spend outdoors. "Across Canada, having a play space adjacent to the child care program premises is a best practice" (Get Outside & Play, 2020b, p. 18). Having spaces adjacent to the indoor area reduces barriers to getting children outdoors by giving ECEs access to the program premises' amenities (Get Outside & Play, 2020b). For ECEs to extend learning into the broader community, they may need additional specialized knowledge on outdoor play to inform their pedagogy.

Program supervisors and ECEs might consider how they could include [Get Outside & Play's ideas \(2020a\)](#) within their program plans:

- increase the amount of outdoor space per child
- have an outdoor space on-site or one that is easily accessible
- create policies and procedures for off-site experiences
- enhance the materials in the outdoor space to include natural items
- have two or more natural surfaces and sufficient shade
- institute a minimum daily outdoor playtime requirement based on age and type of program
- specify a temperature range for outdoor play
- ensure ECEs have at minimum a two-year ELCC diploma so they can be well-prepared to utilize outdoor play effectively

Risk-Based Licensing

This new approach to licensing oversight is described in the *Changes to Child Care* (Government of Alberta, 2021a) document

"Under a risk-based approach, high-quality facilities with consistently low infraction rates will have longer intervals between inspections and a simplified inspection process. This will give licensing teams more time to spend with programs requiring additional assistance to support the children and families in their program" (Government of Alberta, 2021a, p. 14).

To date, there are no other details given on how this approach will roll out or impact programs and ECEs.

The findings and recommendations from the [Woolfsmith Inquiry](#) (Hawkes, 2018), resulting from the death of 22-month-old Mackenzy Woolfsmith in private care, called for a shift to a proactive, rather than reactive, complaint-driven process, and the term 'risk-focused' legislative review was used. AECEA does not believe this term is the same as a risk-based approach the Ministry has proposed as it does not include unlicensed care. The Woolfsmith Inquiry (Hawkes, 2018) spoke to the need for a fundamental shift in how the Ministry of Children's Services regulates both licensed and unlicensed child care. Despite this, there is little change for unlicensed day homes within the amended regulations. There was an opportunity to require unlicensed care to have fewer children in ratio compared to licensed. This recommendation, from the Alberta Family Child Care Association (2020) and other stakeholders, was not included in the amended regulations. AECEA eagerly awaits policy documents, including an amended *Family Day Home Standards Manual*, for Alberta's licensed family day homes.

When looking at risk in general, the Inquiry made specific reference to the [2014 Auditor General of Ontario report](#), which found that much more was required than simple legislative change. The Inquiry referenced the need for 'significant operational and staffing changes' to accompany any legislative changes. AECEA understands that these operational and staffing changes must include investments in licensing staff resources and supports and ensuring ECEs are well-supported with assistance and mental health supports as necessary.

Will there be significant operational and staffing changes within licensing to ensure timely and effective investigations regarding risk in all child care settings (including unlicensed ones)?

Will licensing officers have the time, resources and ELCC knowledge base for the mentoring and coaching needed?

How can programs that are considered high-risk understand, develop, and implement the 'Principles' and 'Matters to be Considered' if they are barely meeting minimum licensing requirements?

How can the ELCC system be lifted and give each program adequate support regardless of whether they are considered high or low risk?

How will the entire ELCC system continuously strive for quality and excellence?

A Look at Accessibility & Affordability

"Accessible, affordable and quality are probably the three words most commonly used to describe what ELCC services need to be if they are workable and suitable for families and children. These aspects of provision are each value laden, complex and inextricably linked" (emphasis in original, Beach, 2020, p. 26).

The Act and Regulations has limited reference to accessibility and no word of another critical aspect, affordability.

For ELCC to be accessible (Beach, 2020)

- there are available licensed spaces
- it is suitable and inclusive: the program is welcoming and provides supports to all children, including those with exceptional needs and those from diverse backgrounds (Beach, 2020).
- the program's location and hours work well for families
- the program is sustainable: it has a source of reliable public funding
- parents can afford the space

While accessibility across Alberta is low, the situation is even more critical in rural and remote areas. Rural and remote programs experience high costs of operation, and their financial feasibility is low. Accessibility to a qualified workforce is one of the biggest challenges to maintaining high-quality spaces for families. With post-secondary options being limited, many programs apply for exemptions to provide services. Program supervisors may have no ELCC educational foundation nor a way to access leadership supports or attend bachelor's degree programs. The workforce has limited support and low wages; there are high burnout rates, leading to high staff turnover. Many rural and remote communities have expressed that ECEs do not always have the skills to support children that may have experienced trauma and other challenges. This can result in families being denied access to ELCC causing some families with children who have exceptional needs to relocate as supports are unavailable in their home communities.

Inclusion of children with exceptional needs is mentioned in the *'Matters to Be Considered'*: "the abilities of the children in the program is to be respected and valued" (The Alberta Gazette, 2021, p. 4). The Ministry has indicated that programs will need to detail how they will address this matter in their program plans. It does not require programs to accept children with exceptional needs, nor to address those needs. The Act and Regulations do not require access to early intervention or the development of an individual care plan. It does not recognize the need for a workforce with specialized training to work with children with exceptional needs. In their regulation review letter (2020), the Alberta Early Learning and Care Leader's Caucus proposed, "with an educated workforce, less support for children with additional needs would be required" (p. 1). Once again, another issue in which advancing the education of ECEs would be invaluable.

Inclusivity also includes welcoming families from diverse backgrounds. The *'Matters to be Considered'* says "the child's familial and Indigenous or other cultural, social, linguistic and spiritual heritage are central to the child's safety, well-being and development" (The Legislative Assembly of Alberta, 2021, p. 4). Our ELCC settings must be places that welcome and support children and families from diverse backgrounds.

For instance, AECEA knows that Indigenous and non-Indigenous Albertans have a shared history on this land. We are all treaty people who "share responsibility for taking action on reconciliation" (Truth and Reconciliation Commission of Canada [TRC], 2015, p. 12). To move towards Truth and Reconciliation, Albertans must value Indigenous ways of being and Indigenous languages. It is important to take the time to connect with First Nations and Métis communities to learn from their funds of knowledge and integrate these learnings into our beings and ELCC programs. There is a moral and ethical obligation to ensure all Indigenous children have access to culturally appropriate ELCC (TRC, 2015). To do this, ECEs must have post-secondary education that weaves a "substantial nest of learning grounded in social justice [to] help realize the goals of Reconciliation" (Kinzel, 2020, p. 23). They must understand the history of Indigenous peoples and colonization. It is important to become knowledgeable about the [United Nations Declaration on the Rights of Indigenous Peoples](#) (2007), the [Truth and Reconciliation movement and its Calls to Action](#) (TRC, 2015), and [Canada's Indigenous Early Learning and Child Care Framework](#) (Government of Canada, 2018).

To include all Indigenous children, ECEs must know how to create culturally appropriate ELCC settings that "incorporates language and culture into curriculum, involves community members such as Elders, and fosters positive cultural identity in the early years" (Ontario Federation of Indigenous Friendship Centres, 2017, p. 6).

An Area of Opportunity

During the regulation review, the Ministry asked, "What regulations are preventing child care providers from expanding and improving their operations?" The resounding answer to this question is the qualifications of ECEs. The Alberta Resource Centre for Quality Enhancement (ARCQE), an organization that provides accessible programming to the ELCC service sector, has said that the inconsistency of qualifications often means when support ends, programs and educators are unable to maintain

strategies introduced because common foundational knowledge is lacking. This may lead to increased issues with compliance, high staff turnover, and recruitment and retention issues (2020).

AECEA knows that well-qualified, caring ECEs are the prime determinant of a quality child care system, and education is the prime determinant of qualified ECEs. In the new *Child Care Licensing Handbook* (2021b), **the government states "higher quality programs will typically have more primary staff members at higher certification levels who have the education, training, knowledge, and expertise to encourage learning and development through play and other activities"** (p. 34).

Although the Act and Regulations do not include a reference to ECE education, the Minister of Children's Services has indicated that she heard from many stakeholders that education of ECEs is of vital importance. The *Changes in Child Care* document (Government of Alberta, 2020a) asserts that ECE educational requirements will be moved to government policy indicating that "further work can be done in the future" (Government of Alberta, 2020a, p. 12). Collaboration and discussion between ECEs, program supervisors, stakeholder organizations, and the government on this policy will be invaluable and necessary. This collaboration should be part of building a workforce strategy that includes funding, supports, and pathways for all ECEs.

"Legislation provides an important foundation for a quality early learning and child care system, but legislation alone is not enough. Legislative change must be supported by sound policy. It must work hand-in-hand with a workforce strategy that builds a well-educated, well-supported and well remunerated early learning and child care workforce. And it must be supported by public investment" (AECEA, 2020, p. 4).

One of the policy levers the Organisation for Economic Co-operation and Development recommends is "improving qualifications, training and working conditions" (2012, p. 15). Improving qualifications related to education standards and ongoing professional learning supports strong pedagogy and fosters the positive child–ECE relationships required for healthy child development and learning.

AECEA believes that the discussion about ECE education and certification should include raising educational standards and requiring mandatory ongoing professional learning and adopting *Alberta's early learning and care curriculum framework, Flight* (Makovichuk et al., 2014).

What is the difference between legislating regulations and using government policy to inform practice?

When areas move to policy, will the government have as much authority to ensure and enforce?

Beach's recommendations for change related to staff qualifications require a long-term workforce development strategy that includes supports, educational pathways and funding for ECEs (Lesoway, 2020a, p. 4)

- Require all staff to have a minimum level of certification prior to the commencement of employment
- Require the renewal of certificates every three years
- Require a minimum amount of approved professional learning as a condition of renewal
- Require staff to have a minimum amount of experience before they can work as directors
- Require all program staff to have first aid certification
- Eliminate the current equivalency process to ensure that certified staff have the specialized knowledge they need to provide quality child care
- Develop a workplace training model that would allow experienced staff to acquire an early childhood credential while remaining employed. This model may be similar to [Manitoba's Early Childhood Education Workplace Training program](#), which has been highly successful at advancing the education of ECEs (Flanagan & Beach, 2016, see p. 67)

The recommendations are similar to those in the regulation review submissions by stakeholder organizations and should be considered when the Ministry begins the consultation and collaboration on ECE qualifications. Research shows that ECEs with higher qualifications sustain nurturing and supportive interactions with children and can create the stimulating environments that children need for their well-being and learning (Lesoway, 2020b).

Around the world, jurisdictions are moving to require diploma or degree to work in ELCC. Some places even require bachelor's or master's degrees (Lesoway, 2020b). This is a challenge because, at this point, the structure of Alberta's certification levels do not recognize higher levels of education.

In the Muttart Foundation's community engagements (2012-2019), a two-year diploma was recognized by Alberta's ELCC stakeholders as an appropriate minimum standard (AECEA, 2020). And, ARCQE (2020) contends that without a strong, stable and competent professional workforce, opportunity to enhance child development critical in the early years may be minimized and potential risk for critical program non-compliances (such as child guidance, safe supervision, child staff ratios, staff qualifications, meeting developmental interests of children) may increase. The ELCC sector must look at the certification levels closely to determine what will serve children and families well.

Once the sector has solidified a foundation of specialized post-secondary education, ECEs must use continued professional learning to stay on top of emerging research and best practice. The majority of Canadian provinces have "professional development [as] a condition of certification renewal" (Lesoway, 2020b, p. 5).

The Ministry of Children's Services has been funding spaces in MacEwan University's course, *Exploring Childhood Curriculum: Play, Participation, and Possibilities*. The response has been overwhelming. Thousands of ECEs have expressed interest in taking the course, with many being turned away as the spaces fill quickly. This shows how keen ECEs are to participate in ongoing professional learning.

"Making the *Flight* curriculum mandatory and providing staff with the necessary coaching and mentoring for its successful implementation would support quality programming and ensure a level of consistency across programs... requiring its use would be a positive step in improving process quality. It would also develop a base upon which to develop quality improvement and staff development plans"

(Beach, 2020, p. 78).

AECEA agrees with Beach (2020) that the government's investment in professional learning is "a positive step toward quality improvement" (p. 6). However, the Act and Regulations do not mandate *Flight*; programs are just asked to consider its use within their program plans.

A [Ministerial Policy Statement](#) like the one created in Ontario could ask programs to begin using the *Flight* curriculum framework. AECEA gives more details on what this could look like in our [Response to the Act](#) (2021, p. 9-10). The Edmonton Council on Early Learning and Care declares in their [regulation review position paper](#) (2020), "A well designed, evidence-based, and culturally sensitive curriculum framework can guide the work of early childhood educators, can help to inform parents about child development and best practices in child care, can help parents understand the importance of activities that take place in a child care program, and can help to focus the professional development of early childhood educators" (p 2).

"AECEA's recommendations for legislative change centre on improving the education of Alberta's early childhood educators. This is the first step toward professionalizing the workforce and ensuring that early childhood educators can enjoy the fair wages and good working conditions that every Albertan deserves. It is also the first step in ensuring that all Alberta children have the high-quality early learning and child care that is every child's right" (AECEA, 2020, p. 121).

AECEA understands that the early learning and child care sector cannot move forward with increasing educational requirements, ongoing professional learning and incorporating *Flight* into ELCC programs without infrastructure, funding, and support. AECEA respects that ECEs have a wide range of education and experience. AECEA knows that this needs to happen slowly with defined timelines and support that reduces barriers for ECEs. AECEA believes that together the ELCC sector can create a model that makes sense for ECEs here in Alberta.

Conclusion

Much is still uncertain regarding the monitoring, inspections, and support for the amended regulations. It would be beneficial to have a comprehensive system of planning, monitoring, inspection, data collection (finances, workforce, child, and parent outcomes) and quality improvement. Building a system that ensures quality, safety, and accountability is paramount. For example, research shows that underfunding and non-compliance are interrelated. "Legislative standards can only be enforced within the context of an integrated early learning and child care system that includes sufficient funding to support it" (AECEA, 2020). Our patchwork ELCC system in Alberta needs stabilization, especially in the face of the COVID-19 pandemic when families need child care to return to work. And Alberta needs families to return to work to rebuild our province's economy.

The sector can, and should, strive for more than just care and supervision of children (custodial care). With the right supports, programs can create places of vitality for Alberta's children and families. ELCC programs can be places "for children to live their childhoods" (Dahlberg, Moss & Pence, 2007, p. 75). Settings where "children and adults participate together in projects of social, cultural, political, and economic significance" (Dahlberg, Moss & Pence, 2007, p. 73).

Canada ratified the *Convention on the Rights of the Child* in December 1991. The sector must recognize children's rights and their roles as citizens (United Nations, 1989). ELCC programs are "places for active, co-constructing young children, who are citizens with relationships [and] a recognized place both inside and outside the family" (Moss, 1999, p. 149).

The sector must make ELCC programs welcoming, inclusive, affordable, and accessible to children and families across Alberta, in cities, and rural and remote areas. The sector must ensure that we continuously strive for high-quality keeping children's best interest top of mind.

AECEA knows all of this depends on our ECEs and program supervisors. They will be the ones that will implement the changes to the Act and Regulations within programs. They will be the ones to decide what will work for their children and families. They will rise and meet the challenge as they have always done. The sector must give all ECEs the recognition, respect, and support they deserve. But, public policy change is necessary to do this. A system can be put in place that supports ECEs to do their work well. We have the opportunity to work together. Let us come together as Alberta's ECEs, stakeholder organizations and the government to examine the state of our ECE workforce and how everyone can create a well-planned and well-supported system of ELCC for Alberta's children and families.

"The association supports its members in their struggle for quality and equality and empowers them as valued, contributing members of an important profession"
(AECEA, 2018, p. 40).

References

- Alberta Early Learning and Care Leader's Caucus. (2020). *Licensing Review Stakeholder Engagement Sessions- Presentation*. Calgary, AB. Retrieved from: <https://aecea.ca/sites/default/files/ALC%20Reg%20Review%20Submission.pdf>
- Alberta Family Child Care Association. (2020). *Submission to the Ministry of Children's Services: Review of the Child Care Licensing Act and Regulation*. Edmonton, AB. Retrieved from: https://aecea.ca/sites/default/files/AFCCA_submission%20-%20final%20LH-1.pdf
- Alberta Resource Centre for Quality Enhancement. (2020). *Considerations in support of the regulations governing child care delivery in Alberta*. Edmonton, AB.
- Association of Early Childhood Educators of Alberta. (2018). *Qualified Educators, Quality Care: The Role of the Association of Early Childhood Educators of Alberta*. Edmonton, Alberta. Retrieved from: <https://aecea.ca/qualified-educators-quality-care-aeceas-mandate-document>
- Association of Early Childhood Educators of Alberta. (2020). *Getting It Right: Recommendations for Improving Alberta's Child Care Licensing Legislation*. Edmonton, AB. Retrieved from: <https://aecea.ca/getting-it-right>
- Association of Early Childhood Educators of Alberta. (2021). *AECEA's Response to Alberta's Early Learning and Child Care Legislation Changes*. Edmonton, AB. Retrieved from: <https://aecea.ca/aecea-response-child-care-licensing-act>
- Beach, J. (2020). *An Examination of Regulatory and Other Measures to Support Early Learning and Child Care in Alberta*. Edmonton, AB: Edmonton Council for Early Learning and Care and the Muttart Foundation. Retrieved from: <https://static1.squarespace.com/static/5f170b16bf7d977d587e43c4/t/5fbe82537acac6192a96998c/1606320730938/Beach+Report+Measures+to+Support+Quality+ELC+2020-11.pdf>
- Childcare Resource and Research Unit. (2014). *What Does the Research say about Multi-age Grouping for Infants, Toddlers and Preschoolers?* Toronto, ON. Retrieved from: https://childcarecanada.org/sites/default/files/Multi-age_BN_Feb_12_14_0.pdf
- Childcare Resource and Research Unit. (2020). *Proposed Changes to Child Care Regulations- Ontario 2020*. Toronto, ON. Retrieved from: <https://childcarecanada.org/sites/default/files/ON%202020%20CRRU%20submission%20re%20regulatory%20changes.pdf>
- Dahlberg, G., Moss, P., & Pence, A. (2007). *Beyond Quality in Early Childhood Education and Care: Languages of Evaluation*. New York: NY, Routledge: Taylor and Francis Group. Retrieved from: <https://search.library.ualberta.ca/catalog/8260990>
- Edmonton Council on Early Learning and Care. (2020). *Position Paper for the Review of Alberta's Licensing Act and Regulation*. Edmonton, AB. Retrieved from: <https://static1.squarespace.com/static/5f170b16bf7d977d587e43c4/t/5f56543d9a612620ecffc01c/1599493182069/Position+Paper+for+the+Review+of+Alberta%E2%80%99s+Licensing+Act+and+Regulation-1.pdf>
- Flanagan, K. & Beach, J. (2016). *Manitoba Early Learning and Child Care Commission Final Report*. Retrieved from: https://www.gov.mb.ca/fs/childcare/childcare_news/pubs/final_report.pdf

- Get Outside & Play. (2020a). *Report Summary, Outdoor Play in Child Care Settings: Recommendations for Child care Licensing in Alberta*. Retrieved from: <http://getoutsideandplay.ca/wp-content/uploads/2020/05/FINAL-Summary-Report-Outdoor-Play-in-Child-Care-Settings.pdf>
- Get Outside & Play. (2020b). *Outdoor Play in Child Care Settings: Recommendations for Child care Licensing in Alberta*. Retrieved from: <http://getoutsideandplay.ca/wp-content/uploads/2020/05/FINAL-Full-Report-Outdoor-Play-in-Child-Care-Settings1.pdf>
- Government of Alberta. (2021a). *Changes in Child Care*. Edmonton, Alberta. Retrieved from <https://www.alberta.ca/assets/documents/cs-changes-in-child-care.pdf>
- Government of Alberta. (2021b). *Child Care Licensing Handbook: Facility-based Programs*. Edmonton, Alberta. Retrieved from: <https://www.alberta.ca/assets/documents/cs-child-care-licensing-handbook-for-facility-based-programs.pdf>
- Government of Canada. (2018). *Indigenous Early Learning and Child Care Framework*. Retrieved from: <https://www.canada.ca/en/employment-social-development/programs/indigenous-early-learning/2018-framework.html#h2.0>
- Government of Ontario. (2014). *Minister's Policy Statement on Programming and Pedagogy*. Ottawa, ON. Retrieved from: www.edu.gov.on.ca/childcare/programcceya.pdf
- Halfon, S. & Friendly, M. (2015). *Work Around the Clock: A Snapshot of Non-standard Hours Childcare in Canada*. Toronto, ON. Retrieved from: [https://childcarecanada.org/sites/default/files/Occasional%20paper%20No.29%20%5bRevised,%20Sept%2016\).pdf](https://childcarecanada.org/sites/default/files/Occasional%20paper%20No.29%20%5bRevised,%20Sept%2016).pdf)
- Hawkes, J.B. (2018). *Report to the Minister of Justice and Solicitor General Public Fatality Inquiry*. Calgary, AB. Retrieved from: <https://open.alberta.ca/publications/publications-fatality-inquiry-woolfsmith-2018-11-26>
- Kinzel, C. (2020). Indigenous Knowledge in Early Childhood Education: Building a Nest for Reconciliation. *Journal of Childhood Studies*, 45(1), 19-32
- Lesoway, M. (2020a). *Regulations Can Support Quality Early Learning and Child Care*. Edmonton, AB: Edmonton Council for Early Learning and Care. Retrieved from: <https://static1.squarespace.com/static/5f170b16bf7d977d587e43c4/t/5fd2a41df800b4559815925f/1607640093402/ECELC+Brief++Quality+and+Legislation+2020-12-08.pdf>
- Lesoway, M. (2020b). *Quality Early Learning and Care Depends on Qualified Early Childhood Educators*. Edmonton, AB: Edmonton Council for Early Learning and Care. Retrieved from: <https://static1.squarespace.com/static/5f170b16bf7d977d587e43c4/t/5fd3c91e27f99b76fe028ca6/1607715103114/ECELC+Brief+Quality+and+Qualifications+2020-12-10.pdf>
- Makovichuk, L., Hewes, J., Lirette, P., & Thomas, N. (2014). *Flight: Alberta's Early Learning and Care Framework*. Retrieved from <https://flightframework.ca>.
- Moss, P. (1999). Early Childhood Institutions as a Democratic and Emancipatory Project. In L. Abbott, H. Moylett and H. Moylett (Eds). *Early Education Transformed* (pp. 142-152). London, UK: Routledge.

- Muttart Foundation. (2020). *Submission to the Ministry of Children's Services' Review of the Child care Licensing Act and Regulation*. Edmonton, AB. Retrieved from: <https://www.muttart.org/submission-to-alberta-childrens-services/>
- Ontario Federation of Indigenous Friendship Centres. (2017). *Response to the Development of an Indigenous Early Learning and Child Care Framework*. Retrieved from: <https://ofifc.org/wp-content/uploads/2020/03/2017-07-21-Indigenous-Early-Learning-and-Child-Care-Framework-Response.pdf>
- Organisation for Economic Co-operation and Development. (2012). *Starting Strong III: A Quality Toolbox for Early Childhood Education and Care*. Paris, FR: OECD Publishing.
- The Alberta Gazette. (2021, January 15). *Alberta Regulation 299/2020- Child Care Licensing Act- Child Care Licensing Amendment*. Retrieved from: https://www.qp.alberta.ca/documents/gazette/2021/pdf/01_Jan15_Part2.pdf
- The Legislative Assembly of Alberta (2020, November). *Bill 39: Child Care Licensing (Early Learning and Child Care Amendment Act)*. Edmonton, Alberta: Minister of Children's Services. Retrieved from: <https://www.assembly.ab.ca/assembly-business/bills/bill?billinfoid=11877&from=bills>
- Truth and Reconciliation Commission of Canada. (2015). *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada*. Winnipeg, Manitoba: Truth and Reconciliation Commission of Canada. Retrieved from: <http://publications.gc.ca/site/eng/9.800288/publication.html>
- United Nations. (1989). *Convention on the Rights of the Child*. New York, NY.
- United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples*. Retrieved from: <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

Appendix A

PRINCIPLES:

“This Act is to be interpreted and applied in accordance with the following principles:

- (a) the safety, security, well-being and development of the child is to be supported and preserved;
- (b) flexibility in child care supports choice and accessibility for families;
- (c) engagement of parents, guardians and community members in the provision of child care supports the child’s optimal development”

MATTERS TO BE CONSIDERED:

“All providers of child care programs shall take into consideration the following matters as well as any other matter the provider considers relevant:

- (a) children should be encouraged in having care and play experiences that support their development and learning;
- (b) the child is to be protected from all forms of physical punishment, physical and verbal abuse and emotional deprivation;
- (c) diversity in
 - (i) the background and circumstances of children in the program and their families, including those who may be experiencing social or economic vulnerability, and
 - (ii) the abilities of the children in the program is to be respected and valued;
- (d) the child’s familial and Indigenous or other cultural, social, linguistic and spiritual heritage are central to the child’s safety, well-being and development;
- (e) care of the child must be appropriate to the child’s mental, emotional, spiritual and physical needs and stage of development;
- (f) involvement and engagement of parents and guardians supports accountability of child care program providers, monitoring of child care programs and maintenance of good quality child care programs”

(The Legislative Assembly of Alberta, 2020, p. 3-4)