

What We Heard Report

Early Learning and Child Care Regulations

Phase two changes

November 2024

Une version française de ce document est disponible.

K'ákshó got'íne xáda k'é hederi ɂedjħtłé yeriniwé ni dé dúle.
Dene Kádá

Ɂerihł'is Dëne Sųłiné yati t'a huts'elkér xa beyáyati theɂą ɬat'e, nuwe ts'ën yólti.
Dëne Sųłiné

Edi gondı dehgáh got'je zhatié k'éé edat'eh enahddhé nide naxets'é edahłi.
Dene Zhatié

Jii gwandak izhii ginjik vat'atr'ijahch'u zhit yinohthan ji', diits'at ginohkhii.
Dinjii Zhu' Ginjik

Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqluta.
Inuvialuktun

Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit. Inuinnaqtun

kīspin ki nitawihtin ē nīhiyawihk ōma ācimōwin, tipwāsinān.
nēhiyawēwin

hö yati k'ëè. Dì wegodi newö dë, gots'o gon
Tłı̨chö

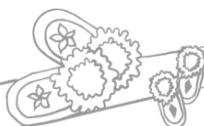


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Executive summary

The Government of the Northwest Territories is committed to building an effective and integrated early learning and child care system with the ultimate goal of helping more families access high quality programs that meet their needs.

The *2030 Early Learning and Child Care Strategy*, the *Canada-Northwest Territories Early Learning and Child Care Agreement* and the *Canada-Northwest Territories Canada-wide Early Learning and Child Care Agreement* set the foundation for work toward a long-term vision where all children can experience the enriching environment of quality early learning and child care that supports their development.

Following engagements on amendments, changes to the *Early Learning and Child Care Act*, *Early Learning and Child Care Standards Regulations* and *Early Learning and Child Care Funding Regulations* came into effect May 1, 2023. These changes allowed for implementation of a wage grid and certification process. Additional regulatory changes further support these initiatives.

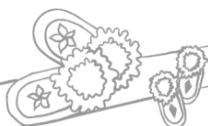
The Department of Education, Culture and Employment developed approaches to a wage grid, certification process and a new funding mechanism with feedback received in January 2024 from community-based early learning and child care partners, including Indigenous Governments, the Northwest Territories Early Childhood Association, licensed early learning and child care program operators, and early childhood educators.

In August and September 2024, the Department of Education, Culture and Employment publicly engaged on the proposed draft *Early Learning and Child Care Regulations*. Licensed early learning and child care partners were invited to participate in discussions.

In total, there were 11 virtual information sessions, including three sessions for centre-based facility operators, three sessions for home-based facility operators and two sessions for early childhood educators working in centre-based programs. Three additional sessions were provided for Indigenous Governments and Organizations that requested to meet. Each session consisted of a presentation followed by opportunities to ask questions and discuss the proposed Regulations.

The Department also received written input on the proposed Regulations from licenced program operators, Indigenous Governments and the public.

The Department used the information gathered during the engagement period to finalize the approaches and update the proposed amendments to the *Early Learning and Child Care Regulations*.



Introduction

The *Early Learning and Child Care Regulations* combine the *Standards Regulations* and *Funding Regulations* into one document and add new regulations related to the wage-grid, certification process and new funding mechanism. These changes are necessary to ensure the implementation of the *2030 Early Learning and Child Care Strategy* and achievement of the targets identified within the *Canada-NWT Early Learning and Child Care Agreement* and the *Canada-NWT Canada-wide Early Learning and Child Care Agreement*.

Phase one of the amendments to the regulations focused on maximum fees, financial reporting and reporting requirements. A summary of the findings from phase one have been captured in this [What We Heard Report](#).

This phase, phase two, is focused on proposed amendments to *Regulations* to establishing a wage grid, certification process and a new funding mechanism.

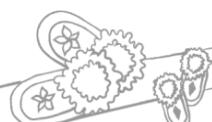
An important step towards developing these initiatives is collaboration with community-based early learning and child care partners, including Indigenous Governments, the NWT Early Childhood Association, licensed early learning and child care facility operators and early childhood educators.

To ensure community-based early learning and child care partners had the opportunity to provide their perspective, the Department of Education, Culture and Employment created a presentation based on feedback gathered from previous engagement. The critical elements to be considered during the engagement sessions included:

- certification requirements built on the current credentialing requirements to consider education experience, and knowledge of local Indigenous culture, beliefs, language, and traditions;
- funding to support implementation of a wage grid to outline the minimum hourly wages for early childhood educators working in licensed centre-based programs; and,
- a new funding mechanism that shifts away from the former attendance-based model to a more predictable funding approach.

In May and June 2023, the Department of Education, Culture and Employment engaged with community-based early learning and child care partners to receive feedback on the critical elements for consideration, and a summary of that engagement has been captured in this [What We Heard Report](#). Feedback from the engagement towards a wage grid, certification process, and new funding mechanism, along with the data received from licensed early learning and child care programs, was used to develop the proposed *Regulations*.

The Department would like to thank all who participated in the information sessions and shared valuable feedback online through the earlylearning@gov.nt.ca email address.



Methodology

The public engagement on the second phase of proposed changes to the Regulations was held from August 15, 2024 to September 16, 2024.

Information on the engagement opportunity and how to provide feedback on the second phase of proposed amendments to the Regulations were publicly posted on the Government of the Northwest Territories [public engagement website](#).

A copy of the draft Regulations and a plain language summary of the proposed *Regulations* were made available to help inform interested participants.

Early learning and child care partners were invited to virtual engagement sessions on the proposed approaches. The information sessions were tailored slightly for the target audiences, centre-based program operators, early childhood educators, home-based operators, Indigenous Governments and Indigenous Organizations.

The virtual engagement sessions were facilitated by the Department of Education, Culture and Employment staff members. A notetaker was in attendance to accurately capture feedback on the proposed Regulations. Each session consisted of a PowerPoint presentation outlining some of the major changes to the proposed draft Regulations. While information related to the broad changes was provided more generally, each presentation was tailored to the specific audience that was present to focus on areas that may be of most interest.

Feedback was also received by the Department of Education, Culture and Employment through email.

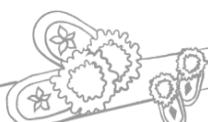
A total of 11 engagement sessions were held between August 21 and September 16, 2024 with a total of 78 participants representing Indigenous Governments, centre-based facility operators, home-based facility operators and early childhood educators. Some participants attended multiple information sessions, where additional insight was provided, or initial perspectives were reinforced. Fourteen (14) emails were received, some emails were sent to an email that was not identified for receiving feedback and were forwarded to the correct email address.

A summary of the feedback is provided below in Table 2. All findings are presented to ensure that each participant's feedback is reflected in a comprehensive and equitable manner and to ensure that feedback that is not part of the current scope of Regulation amendments can still be considered at a later stage.

Limitations and mitigation strategies

Table 1: Limitations, impacts, and mitigations for limitations

Limitation	Impact	Mitigation Strategy
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<p>Relatively small size of community based early learning and child care partners posed threats to confidentiality of participants.</p>	<p>The limitation does not directly impact validity or reliability of the findings.</p>	<p>In the process of transcription and reporting, summary of discussions was edited to exclude identifiers in the document.</p>
<p>Dependence on voluntary participation of community based early learning and child care partners.</p>	<p>Low participation rates in the engagement may adversely affect the reliability and representativeness of the data. Unrepresentative and unreliable data cannot be used to confidently make decisions on this basis.</p>	<p>To create favourable conditions for participation, Education, Culture and Employment sent invitation and reminder emails to target audiences and hosted multiple engagement opportunities during various times of day, and days of the week for all sessions.</p>
<p>Engagement and report conducted internally by the Department of Education, Culture and Employment.</p>	<p>Engagements coordinated and facilitated by those (Education, Culture and Employment) seeking feedback may receive more positive feedback than an external facilitator, as respondents feel less anonymous.</p>	<p>The findings as presented in this report were provided to all participants, wherever possible, for review for accuracy and additional input. This provided participants the opportunity to reconsider or add to their feedback with more anonymity.</p>
<p>Email correspondence received by addresses other than earlylearning@gov.nt.ca</p>	<p>There is the possibility that the feedback received may not capture all feedback if an email was sent to an incorrect email address.</p>	<p>Emails were forwarded to the earlylearning@gov.nt.ca address to be included in the summary and for consideration.</p>

What we heard

The feedback that was shared during the engagement sessions and through email generally aligned with feedback and information that had been previously received by the Department of Education, Culture and Employment. Information that was shared can be broadly categorized into the following subject areas; funding, centre-based facility operations, home-based facility operations, certification process and the NWT Early Childhood Essentials course, and general feedback.

Funding

Feedback regarding funding was generally tied to the lack of clear increase to funding over time to support high quality programming and long-term sustainability, and that education incentives are not high enough. The appreciation of flexibility that has been built into the new funding mechanism, however, was seen as a positive step in supporting licensed facility operations.

Additional feedback highlighted a need for more support in understanding the new funding mechanism and associated reporting as well as how allocations of additional staff are calculated and funding is provided for these roles. There was a request for clarification to understand and consider the reduction in funding that is tied to low average attendance and how this could impact operations.

Many participants referred to their program-specific context and highlighted their individual needs related to the new funding streams.

Feedback on the wage grid was mostly focused on participants asking clarifying questions on where they may be placed. Some participants commented on how the wage grid could work for some employees but that the wages are not seen as high enough to attract and retain staff. It was noted that the funding increases tied to post-secondary are not seen as being high enough to incentivize completion. Questions were also raised as to how delays in certification of early learning and child care staff would impact funding.

In addition to the new funding mechanism pieces it was brought forward that implementing the new Regulations would place an administrative burden on early learning and child care facility operators. There was a request for additional funding from the Government of the Northwest Territories to support this roll out.

Centre-based facility operations

Feedback related to centre-based facility operations were mainly around volunteer requirements and determining how existing positions fit into the new positions that are included in the Regulations. During the engagement sessions it was made apparent that there were some aspects of the existing *Early Learning and Child Care Standards Regulations* that were not being properly implemented, specifically the use of volunteers to cover ratios in licensed programs.

Participants sought clarification related to their roles within the facility and what they would need to have prepared for the introduction of the certification process.

Home-based facility operations

Feedback that was specifically tied to the operation of home-based facilities highlighted two major concerns from the sector. The first being the requirement for home-based facility operators who have completed post-secondary education and other education related to early learning and child care to complete the NWT Early Childhood Essentials Course. The second item that was predominantly shared was a request to have payments for home-based operation funding made monthly instead of quarterly.

Additional feedback was shared related to some of the updates that were added to the proposed Regulations, including the two (2) hour cap on appointments without needing approval from the Director of Early Learning and Child Care at the Department of Education, Culture and Employment, and clarification on some existing Regulations around six (6) children not being under the age of six (6).

Regarding funding for home-based facilities, feedback was shared for funding to be tied to post-secondary education. Concerns were also shared on restrictions placed on home-based facility operators owning and storing firearms in their homes or on their property.

Certification process and the NWT Early Childhood Essentials

Similar to previous engagement sessions, there were lots of questions and feedback focused on what post-secondary education requirements were being included and if equivalencies in a similar field would be considered, specifically Bachelor of Education. There was also an expressed desire for consideration to include extensive experience in licensed early learning and child care programs as an equivalency that would allow educators to not need to complete the NWT Early Childhood Essentials Course. Feedback was also provided to make the certification process clearer, with timelines for completion, and to articulate expectations for educators and staff working in licensed programs on what roles require certification.

For those staff that will be required to complete the NWT Early Childhood Essentials Course, it was noted that it would be supportive to have a different delivery model available. Many participants sought clarification, on an individual level, on whether their post-secondary education might be considered or if they would need to complete the NWT Early Childhood Essentials Course and how to register.

Participants expressed concerns as to whether the certification process may be a barrier to current employed staff. Feedback was shared that it could be seen as red tape for assistants and those with unrecognized education who do not wish to complete additional education requirements to make

them apply. Feedback was also shared that Northwest Territories teachers under the *Education Act* should not require certification.

It was brought forward that there should be consistencies in how the certification process for centre-based educators, which allows for those with post-secondary education to not complete the NWT Early Childhood Essentials course, should be the same for home-based educators.

General feedback

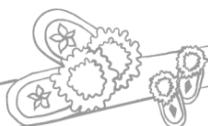
Additional feedback was received that was outside of the main categories listed above. This included increasing the level of detail in some areas of the Regulations for clarity. This included the request to include a published list of communicable diseases, seeking clarification on some definitions including parent and out-of-school child, categories for sending in serious occurrence reports, and if an operator is required to provide food for children. Additional feedback related to interpretation of some of the regulations was identified as being a gap in some areas.

It was expressed that it was disappointing to not have anything in the Regulations to address inclusion and meeting the needs of children who require additional supports. A request was made to consider requiring licensed programs reserve spaces for Indigenous or low-income families.

Finally, it was acknowledged by one participant that August and September are not a good time to have engagement as licensed early learning and child care programs are often very busy at this time.

Table 2: Feedback received

Feedback Received
Limitations on not being able to use a volunteer in the program to count in the staff to children ratio will pose a problem for small programs who have been using volunteers to cover the ratios.
Request to consider providing or publishing a list of communicable diseases on an annual basis so that facilities can quickly check to see what needs to be reported.
Seeking clarification if the definition for a parent includes caregivers.
Feedback was shared that August/September is not a good time to have engagement.
Question and feedback related to facilities not being able to charge additional fees. Specifically, registration fees and why that is not able to be an approved fee.



There were lots of questions and feedback related to if a Bachelor's Degree in Education will meet the post-secondary requirements identified in the certification schedule and if there are education allowances for post-secondary programs outside of early childhood development.

Question as to why certified Northwest Territories teachers needed to complete the early learning and child care certification process.

Feedback on how the bonuses tied to the wage grid impact staff working in unionized environments.

Feedback on a certification pathway for staff with years of experience to obtain the 'certificate equivalency' qualification.

A question on how programs will be supported in understanding who has what role in the program as identified in the new Regulations and in the wage grid (specifically program coordinator/bus driver).

Feedback on there not being room in the funding model for overtime or substitutes, if a staff is sick programs will be under ratio.

Disappointment on the lack of inclusion in the Regulations to address meeting the needs of students that have been identified as needed additional supports.

Discussion on the educator allowance not being enough to encourage further education or completion of post-secondary. Similarly, the current wage grid is too low to attract and retain qualified staff.

Feedback on reserving spaces for Indigenous and low-income children.

Feedback for appreciation for funding being provided for wages and discussion on how dedicated funding could be flexible in the future.

Feedback on the lack of recognition of post-secondary for home-based program operators. **Request for** operators who have completed post-secondary education and other education **to** not be required to complete the NWT Early Childhood Essentials course as currently stated in the proposed Regulations.

Requests to continue with monthly payments for home-based funding as the interim monthly funding is working well. Quarterly payments would add stress related to budgeting to operators. The proposed reporting paperwork is fine.

Feedback was shared that two hours is not long enough for appointments for family day home operators to not have to request approval. It was also suggested to have a clear process for requesting substitute use for longer than two hours.

Request for equitable consideration of post-secondary learning across centre-based and home-based educators. **Including financial recognition for post-secondary education for home-based operators.**

There was a request for an investigation into all the “surprises” that have been happening.

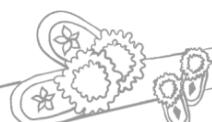
Request for a different delivery model for the NWT Early Childhood Essentials course that is not online.

Feedback to support the creation of additional spaces by following a different model for home-based facilities to allow eight to 10 kids if they hire an assistant. There are added benefits to having an assistant and this may increase the length day homes operate for, as some close to work at a school for adult interaction. There would also be more one-on-one support for children.

Questions asked about if participants might have to complete the NWT Early Childhood Essentials course if their post-secondary education is not in early childhood, how to register and if there could be consideration for building into the certification process the ability to exempt staff to have to complete this training.

Feedback on regulations for home-based programs to not more than six of the children cared for at the facility are under six years of age. This is seen to dismiss the needs of the Junior Kindergarten families. For families' of four/five-year-olds who are enrolled in full time school programing this creates issues for care during spring break, summer break and professional development days. There are no programs for four/five-year-olds as summer day camp type programs often do not take four/five-year-olds.

Question related to Section 18 Reporting: Enrolment and Attendance and what attendance reports are required. Feedback sought clarification on what the attendance reports look like, whether there is a template and how it alleviates reporting.



From the proposed Regulations “An operator shall, in accordance with any guidelines issued by the Director, prepare a report after any of the following occurrences at the early learning and childcare facility:”

Feedback on the categories and definitions needing to be clarified.

Feedback on storage of children’s belongings so they are not touching is seen as difficult to manage with bulky winter clothes, even with the use of cubbies. Questions were received about whether there are exceptions or considerations for this. Feedback noted that with what we know about communicable diseases and the transfer of head lice, infection is much more likely to happen during play.

Feedback that storing medication in a locked cabinet is not how most operators are implementing this regulation. Most operators use lock boxes that fit in fridges for antibiotics and on shelves for other medications. There has also been an exception for medications that are needed immediately like epi pens/inhalers/diabetic medical needs. Time is of the essence with these medications and often the child or staff carry them in a fanny pack on their person for quick access. Children with diabetes often have medicine pumps attached to their person. These scenarios are not captured in the Regulations.

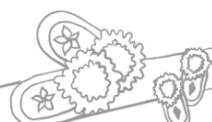
From the proposed Regulations “the operator needs to attend a scheduled appointment of not longer than two hours’ duration, including travel to and from the appointment;”

Feedback received indicated that this is difficult in the current health care environment. Many times, people wait more than two hours to be seen by a health care provider. The process for telling the Director of these types of events need clarification.

Feedback on the new funding mechanism and the need for a system that covers annual inflation and the increasing cost of doing business in the north. It was asked how this will be covered. Feedback received indicated that it can not be expected that year after year operators and early learning and child care staff will continue to receive the same funds. This is not a solid retention or a sustainable strategy.

Question related to certification delays, what does it look like, how it will affect funding already distributed as programs can not afford a claw back.

Clarification as there is still the impression that attendance is still affecting funding. Feedback highlighted that there is a 50percent reduction for low average attendance. Although not a permanent delegation, there is no ability identified to get out of a low average attendance classification in the fiscal year. Will those who are in this category be consulted on the policy making? Facilities are profoundly impacted by this so there is a lack of confidence that this is being



re-considered. Feedback to not look at a full year attendance when assigning the low attendance delegation.

The low attendance classification was noted to be a complex issue in Indigenous communities because the staff would need to be available still. Feedback received indicated that there are a lot more factors to consider because families should not be forced to come to the program and all-day everyday programming is very anti-dene so why is attendance still impacting what we can do in our program.

Feedback was received related to looking at assumptions for administrators vs. supervisors and those positions' ability to be on the floor for all or part of the day. The current model assumes that these positions would be available to be on the floor which is not always the case.

Clarification on what roles require certification.

Feedback that having those with unrecognized education apply for certification feels like red tape to make them apply.

Noted that there is going to be an administrative burden to implementing the new Regulations. Question received about what capacity supports are available to support programs with this piece. Would like the Government of the Northwest Territories to provide support to get this going and provide additional funding for this.

Feedback on a lack of funding provided to hire elders to provide culturally relevant programming. This should be included. Question related to if programs hire two elders permanently into the program does there have to be an additional early learning and child care educator?

Feedback was shared from an individual who identified as being autistic and homeschooled after kindergarten because the schools did not have the proper support staff, nor did they have quiet rooms away from the noisy overcrowded classroom. Request to provide support to help children thrive in their learning style. Request to not support ABA or other methods that try to turn the child into a neurotypical or try to make them look "normal". Request for support for homeschooling families and support social programs for homeschooling kids.

Request that there not be restrictions to third party funding, nor contingencies built from third-party sources.

Feedback recommends that the Director be afforded some discretion with the maximum usable indoor and outdoor spaces.

Request for clarity around Maximum Monthly Fees and charging fees for days children are not in attendance.



Clarity as to whether an Operator is required to provide food.
Concerns on restrictions placed on home-based facility operators owning and storing firearms in their homes or on their property.
Clarification on if a person in Section 65(7) includes a parent.
Clarification on closures for centre-based facilities and what is included.
Acknowledgement of appreciation for flexibility in funding. Flexibility is seen as critical for each facility to address its own challenges and circumstances and to ensure sustained operations over time.

General findings and information shared by Education, Culture and Employment

Overall, while the Department heard concerns around specific funding amounts for programs, the engagement sessions were generally well-received.

Most participants' feedback and discussion highlighted a need for continued support from the Department of Education, Culture and Employment on understanding what has and has not changed for licensed early learning and child care facilities. Some participants requested a copy of the presentation or proposed meetings with individual facility operators and staff. One participant highlighted the importance of having supporting documents, such as the previous *Understanding the Child Day Care Regulations* binder updated.

In addition to the feedback related to the *Early Learning and Child Care Regulations*, some participants had questions and feedback related to areas that were unrelated. Where possible, the Department staff shared information and provided guidance on understanding of current and proposed new Regulations.

Next steps

All feedback on the proposed draft *Early Learning and Child Care Regulations* gathered during the engagement period is included in this *What We Heard Report*. While some feedback shared was outside of the current scope of updates to the proposed *Regulations*, the Department of Education, Culture and Employment has proceeded with updating the proposed draft *Regulations*, where necessary.

