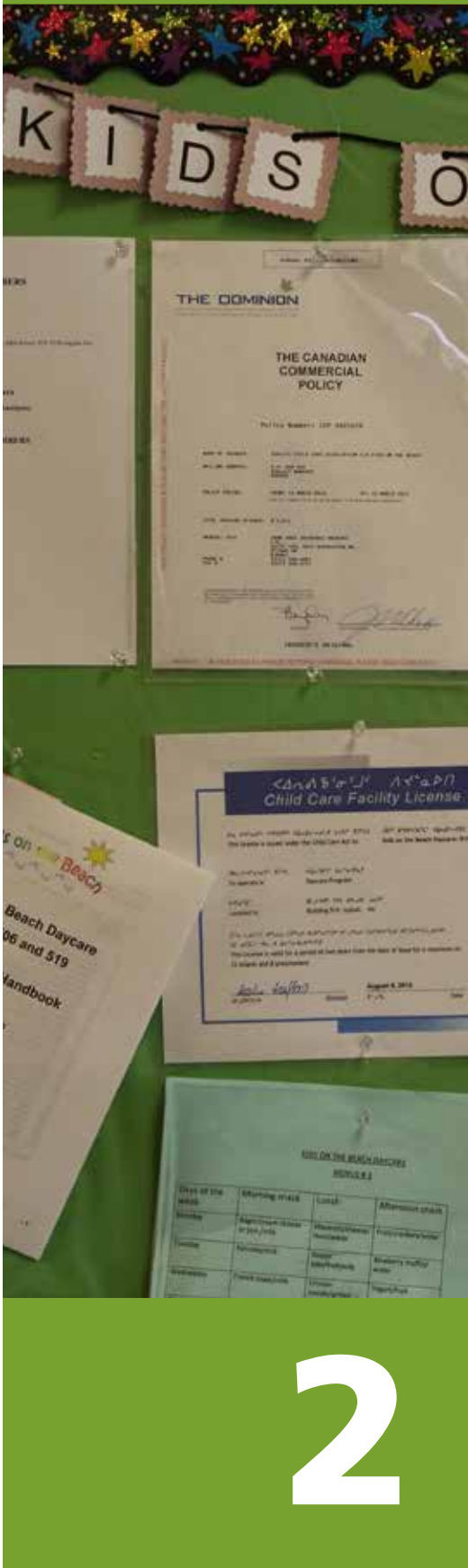


Section 2 Licenses



Section 2 Licenses

This section applies to those who want to apply for a license to operate a child care facility. It explains what the license applicant has to include with the application and who to contact for help.

For operators who already have a license:

- **Best practices once a program is licensed** is a subheading for most of the regulations discussed in this section. It lists things that operators can do to ensure the facility and early childhood program meet the standards required for license renewal.
- **What to do if an inspector requires improvements** explains what operators should do to correct any condition that might affect license renewal.

2

2(1)

An Application for a License must be submitted to:

Director of Child Day Care Services
Department of Education
Government of Nunavut
PO Box 1000, Station 920
Iqaluit, NU X0A 0H0

Regulation 2(1)

Application for a License

Why

- An *Application for Child Day Care Facility License* is used to determine that the license applicant and the facility meet all required legislation and regulations

What it means

- The license applicant must submit an *Application for a Child Day Care Facility, a Family Home, a Preschool Day Care or Out-of-School Day Care License* to the Director of Child Day Care Services (Director) through the Early Childhood Officer.
- The *Application for a License* must include all the information required.

How

- Get an *Application for a License* from the Regional Early Childhood Officer in your area or from the Department's website.
- Work with the Regional Early Childhood Officer who will guide you through the application process and help you as needed.
- Make sure that all requirements are completed and documented before submitting the *Application for a License*.
- Submit the completed *Application for a License*, and all required information, to the Regional Early Childhood Officer.

Best practices once a program is licensed

- Keep a copy of the application, including inspection reports, on file at the child care facility so that staff, parents, and designated inspectors and officials can review or look at them.
- Work with the Regional Early Childhood Officer to have your license renewed each year.

2(2)

An applicant for a license is not required to pay a fee.

Regulation 2(2)

No License Fee

Why

- Licensing is part of quality assurance. The licensing process provides monitoring and support to ensure appropriate standards are met to support quality early childhood programs.
- Licensing is not intended to make money for the Government.

2(3)

An Application for a License must:

- state whether the application is for a centre day care facility or a family home day care facility;
- identify the class or classes of child day care to be provided by the child day care facility; and
- identify a contact person for the purpose of communication between the Director and the applicant.
- See next shaded box.

Regulation 2(3)

Application for a License

Regulation 2(4)

Child Day Care Programs that May Be Offered

Regulation 2(5)

Type of Facility – Centre or Family Day Home

Why

- To identify the type of facility – either day care centre or family day home
- To identify the program or programs that a facility wants to offer (see definitions in *What it means*)
- To facilitate communication between the license applicant and the Director by naming a contact person

2(4)

The classes of child day care that may be provided by a child day care facility are as follows:

- full-time day care;
- nursery school day care;
- out-of-school day care;
- part-time day care

What it means

- The application must state whether the application is for a centre-type facility or a family day home:
 - centre day care facility, usually called a child care centre, or centre, means a child care facility other than a family day home;
 - family home day care facility usually called a family day home means child care provided in a private residence by the person who lives there.

2(5)

A license may be issued for a centre day care facility or a family home day care facility.

- The application must state the type of child care program or programs the license applicant intends to offer:
 - full-time day care – day care provided for more than five consecutive hours per day;
 - part-time day care – day care provided for five hours per day, or less;
 - out-of-school day – day care for children who attend school – outside of school hours;
 - nursery school day care (preschool day care) – part-time day care provided for children less than the ages of six years for a period of four consecutive hours per day or less.
- The application must include the name of a contact person for communication with the Director. This may be the license applicant, if the license applicant is an individual or it may be someone else. If the license applicant is an association or corporation run by a board of directors, the contact person may be a member of the board of directors or it may be someone else.
- When a license is issued it will state whether it is for a centre-type facility, or a family day home.

How

- Consider the number and type of child care facilities that already exist in the community. Gather information on the number of families who might be interested in a child care facility and the age of children who might require care.
- Decide (a) the type of facility and (b) which child day care program or programs the facility intends to offer.
- Ask your Regional Early Childhood Officer for help, if something is not clear.

2(3)(d)

In addition to the requirements set out in subsection 2(3), the following must be included with an Application for a License:

- (i) a written statement of the program goals and objectives;

Regulation 2(3)(d)

Nine Things to Include with the Application

Why

- To ensure that early childhood programs go beyond providing care (or babysitting.) Early childhood programs also support and promote the development of the child in all areas – physical, social, emotional and intellectual.
- To clearly identify the goals that the license applicant is trying to accomplish and the actions or activities that will achieve those goals

What it means

- The program is what children will actually experience, learn and do while at the child care facility.
- Goals are not the same as objectives, even though some people use the two terms interchangeably.
- The *Application for a License* must include both written program goals and objectives:
 - Goals are what you are aiming for in the long term – for example: learning a specific language, being ready for kindergarten, or learning to respect diversity.
 - Objectives are more detailed than goals. They are specific actions that, together, result in a goal being met. (Each goal will have a number of objectives.)
 - Appropriate early childhood program goals and objectives:
 - > match the development of the children in the program,
 - > support development of the whole child – physical, emotional, social and intellectual,
 - > are clear and concise.

How

- Write program goals and objectives so that parents using the program have a clear understanding of what you are trying to accomplish with their children (the goals), and the specific activities or actions that will lead to the goals being met (the objectives).
- Keep a copy of the program goals and objectives for your own records and future use, especially when developing the daily program.

Best practices once a program is licensed

- Provide copies of the program goals and objectives to parents.
- Post copies of the program goals and objectives on the information board at the facility.
- Plan the daily program to reflect the overall goals and objectives of the program.
- Post the daily program on the information board at the facility.
- Make sure that all staff and volunteers know what the program goals and objectives are, and that they understand what their role is in accomplishing these.
- Review the program goals and objectives annually and revise as necessary.

2(3)(d)

An Application for a License must include:

- (ii) a copy of the floor plan of the child day care facility showing room dimensions and location of fixed equipment;

Why

- To ensure the environment provides children with a minimum amount of space to support their developmental needs.
- To demonstrate safety precautions and fire prevention measures.

What it means

- The *Application for a License* must include a floor plan of the facility that:
 - clearly shows furniture that are in a fixed permanent location and other secured objects, and
 - shows the intended use of space, where possible.

How

- Meet with the Early Childhood Officer to discuss the proposed space and the child day care program or programs that the facility is interested in offering.
- The amount of free and useable space must be at least 2.75 square metres per child – for example, closets, washrooms, kitchen and storage areas do not count because they are not spaces that children use for play and activities.
- Make sure floor plans:
 - are drawn to clearly show doors, windows, fixed equipment/ furniture and the measurements of the room.
 - provide for a variety of activities to support the development of the whole child,
 - clearly show smoke detectors, fire extinguishers and emergency exits

- allow children to make choices,
- support the flow of activities and allow children and adults to move around freely,
- allow children to interact with each other,
- include location of doors, windows and fixed equipment.
- For children's safety, the floor plan should allow adults to see all corners of the room or areas partitioned by furniture (such as book shelves) within a room.
- Infant rooms must provide space for playing, crawling and walking.
- Infant rooms should be located on the main floor to ensure quick access to an exit in the case of an emergency.
- Keep a copy of the floor plan for your own records and future use.

Making changes to the program space

- A license is issued for a *specific space* and it cannot be transferred to any other space. For example:
 - If a licensed family day home operator moves, the license was for the old home. The operator must apply for a new license for the new home.
 - Similarly, if an early childhood program is located in a room in a school, the license is for that particular room. If the program wants to move to another room in the school the operator must apply for a new license for the new room.

2(3)(d)

An Application for a License must include:

- (iii) a report from the office of the Fire Marshal regarding compliance with the *National Fire Code of Canada*; and
- (v) where a change or improvement is recommended or required in a report under subparagraph (iii) or (iv), written confirmation from the applicant that the recommendation or requirement has been met;

Why

- To ensure a safe environment for children.
- To avoid unplanned or unexpected fire and safety requirements early in the planning process.

What it means

- The *Application for a License* must include a report from the office of the Fire Marshal. Depending on the community, the fire inspection report could be prepared by the Fire Marshal or an Assistant Fire Marshal.
- The fire inspection report will show:
 - that the facility meets the requirements of the *National Fire Code*, or
 - that certain changes are required.
- If the report recommends or requires changes or improvements under the *National Fire Code* the application must include proof that the work was completed.

How

- Ask the Regional Early Childhood Officer who to contact regarding fire inspections in your community.
- Contact the Fire Marshal to inspect the facility and prepare a report.
- If the report shows any existing or potential fire and safety hazards, or deficiencies, the Fire Marshal will provide specific recommendations to correct or eliminate those hazards or deficiencies. The recommendations will include time frames for any actions or work that need to be done.
- Get the work done as soon as possible, so the licensing process can continue.
- Depending on the work that the inspection report required:
 - arrange for a follow-up inspection and report after completing any necessary work, *or*
 - provide other proof that the work was completed.
- Keep a copy of the Fire Marshal's report and documentation on changes or improvements for your own records and give a copy to the Regional Early Childhood Officer.

Best practices once a program is licensed

- Every year, the Fire Marshal will conduct an inspection, report potential hazards and make recommendations, if any.
- Send a copy of all Fire Marshal's reports to the Regional Early Childhood Officer as soon as you receive it.
- See *What to do if an inspector requires improvements* after Regulation 2(7).

2(3)(d)

An Application for a License must include:

- (iv) a report from a public health officer regarding compliance with the *Public Health Act*; and
- (v) where a change or improvement is recommended or required in a report under subparagraph (iii) or (iv), written confirmation from the applicant that the recommendation or requirement has been met;

Why

- To ensure a safe and healthy environment for children.
- To avoid unplanned or unexpected health requirements early in the planning process.

What it means

- The *Application for a License* must include a report from a public health officer that shows:
 - that the facility meets the requirements of the *Public Health Act*, or
 - that certain changes are required.
- Public Health Officers in NU are called Environmental Health Officers, or EHO for short.
- If the EHO recommends or requires changes or improvements, the application must include proof that the work was completed.

How

- Ask the Regional Environmental Health Officer in the community to inspect the facility and prepare a report.
- If the EHO finds any existing or potential health hazards, the EHO will provide specific recommendations to correct or eliminate those hazards. The recommendations will include time frames for any actions or work that need to be done.
- Get the work done as soon as possible, so the licensing process can continue.
- Depending on the work that the EHO requires:
 - arrange for a follow-up inspection and report after completing any necessary work, or
 - provide other proof that the work was completed.
- Keep a copy of the EHO's report and documentation of changes or improvements for your own records and give a copy to the Regional Early Childhood Officer.

Best practices once a program is licensed

- Every year, the EHO will conduct an inspection, report potential hazards and make recommendations, if any.
- Send a copy of all EHO's reports to the Regional Early Childhood Officer as soon as you receive it.
- See *What to do if an inspector requires improvements* after Regulation 2(7).

2(3)(d)

An Application for a License must include:

- (vi) evidence of compliance with appropriate zoning bylaws;

Why

- To ensure that local zoning bylaws permit a child care facility in that location.

What it means

- The *Application for a License* must include proof, such as a letter, that the zoning bylaws of the city, town or hamlet allow a child care facility in that location.

How

- Ask the city, town or hamlet office for a letter that shows that local zoning bylaws allow a child care facility in that location.
- Keep a copy of the letter for your own records.

Best practices once a program is licensed

- Licensed child care facilities should comply with all relevant municipal bylaws, not just zoning bylaws.
- Check to see what other bylaws are applicable to a child care facility.
- Check to see if you need a business license to operate a child care facility.
- Ask your Regional Early Childhood Officer for help, if needed.

2(3)(d)

An Application for a License must include:

- (vii) evidence of a minimum of \$1,000,000 public liability insurance coverage;

Why

- To ensure the license applicant has liability insurance which will protect the operator, staff and volunteers if they are sued.

What it means

- The *Application for a License* must include a copy of the public liability insurance policy.
- The amount of liability insurance must be at least 1 million dollars. Two million dollars is required if receiving funds from the Government of Nunavut.

How

- Make sure the liability insurance covers the operator, staff and volunteers, for all program activities. This includes off-site activities, excursions, and transportation in vehicles. (If the facility is governed by a board of directors, the board of directors is the operator.)
- Ask the Regional Early Childhood Officer for help if needed.
- Keep the original insurance policy for your own records. Send a copy with your application.

Best practices once a program is licensed

- Renew your insurance on time each year.
- Obtain property insurance if you own the building where the early childhood program is located. Review the policy annually to make sure you have enough insurance.
- Obtain contents insurance for any equipment owned by the child care facility. This insurance should cover loss or damage to equipment in the event of fire, theft or vandalism. Create an equipment and furniture inventory, update it each year, and review the policy annually to make sure you have enough insurance.
- Obtain insurance for accidental death and dismemberment. This insurance should cover children, volunteers and anyone else on the premises except staff, who are covered by Worker's Compensation. Review the policy annually to make sure you have enough insurance.
- Obtain director's liability insurance. This insurance should cover the board members in the event of a lawsuit resulting from hiring practices, misappropriation of funds, and/or accusations that the facility is not being properly run.
- Early childhood programs with employees *must* register with the Workers' Safety and Compensation Commission (WSCC). Employees receive WSCC benefits in case of a work-related accident.
- Family day home operators can register with the WSCC if they choose to. They pay a fee to WSCC, based on income, and receive WSCC benefits in case of a work-related accident.
- Keep a copy of all insurance policies on file at the facility and renew them on time.
- Ask the Regional Early Childhood Officer for help if needed.

2(3)(d)

An Application for a License must include:

(viii) an emergency evacuation plan,

Why

- To ensure the safety of children, staff and volunteers.
- To ensure a complete and organized approach if the facility has to be evacuated.

What it means

- The *Application for a License* must include an emergency plan, required by Regulation 45, that clearly outlines:
 - emergency evacuation and fire drill procedures, and
 - arrangements for alternate emergency accommodations, and
 - arrangements for transportation to those accommodations.

How

- Plan how to quickly evacuate all children, staff and volunteers from the facility in the event of an emergency:
 - post a floor plan indicating evacuation routes
 - outline roles and responsibilities for staff and volunteers so that everyone knows what to do. Decide who will:
 - > evacuate infants (or a child with special needs)
 - > evacuate older children
 - > bring medications and a first aid kit
 - > bring the daily attendance sheet
 - > bring parent/emergency contact numbers, and the numbers of local services (such as health centre, taxi, police, bylaw)
 - > take attendance
 - > do a final sweep of the building to make sure everyone is out. Do not go back into the building
 - > phone the fire department or emergency services
- Keep blankets by each exit to protect children once they are outside. These could be kept in clean garbage cans on wheels, along with other emergency evacuation supplies such as a flashlight, diapers and water.
- Establish a safe meeting place outside the facility where children and adults meet and wait.
- Identify an alternate location where all children and staff will go after the facility has been evacuated.
- Plan how the children and staff will get to that location.
- Ask for help with the emergency plan from the local fire or police authority.
- Ask for help from the Regional Early Childhood Officer, if needed.
- Keep a copy of the emergency evacuation plan for your own records, and future use.

Best practices once a program is licensed

- Practice the emergency evacuation and fire drill procedures once a month, and keep a written record of the date and time of the practice, and the number of children, staff and volunteers.
- You must keep the record for a minimum of one year after the date of the last practice.
- We recommend that you keep the record for a minimum of 5 years after the date of the last practice.
- Post the emergency evacuation plan on the information board in the facility so that it is available for all staff and parents.
- Plan for other types of emergencies such as:
 - unauthorized parent access,
 - parent under the influence of alcohol,
 - armed person in or around the facility.
- Make sure all staff and volunteers know what to do should any of these emergencies happen.
- Share emergency plans with parents.
- Have emergency plans available for review at the facility.

2(3)(d)

An Application for a License must include:

- (ix) a written provision for parental involvement under section 47.

Why

- To ensure parents are part of and welcome to participate in the early childhood program.

What it means

- The *Application for a License* must include a written provision of how the operator intends to offer parents opportunities to be involved in the operation of the facility and/or the daily program.

How

- Write a parental involvement policy that outlines opportunities for parents to be part of their child's day care experience. Parents should feel welcome.
- When the license applicant is a board of directors made up of parents, parents "automatically" have opportunities to get involved. They can serve on the board, work on committees and help with maintenance, to name a few things. Write the policy to show what other opportunities are available and how parents will be encouraged to become involved. For example by:
 - establishing goals and objectives for the facility
 - establishing program policies
 - overseeing financial operations
 - handling complaints
 - hiring staff
 - supporting staff
 - serving on committees
 - volunteering to help at the facility
 - sharing cultural traditions
 - fundraising
 - assisting with field trips/outings
 - writing a newsletter or blog
 - maintaining a website
 - having the opportunity to provide feedback or an evaluation

- When the license applicant is an individual or a for profit business, such as an applicant for a family day home, the opportunities for parental involvement may not seem as numerous. Parents can be invited to drop in anytime, help with excursions, share cultural traditions, tell a story, make cookies, etc. Put yourself in a parent's shoes to think about ways that you might want to be involved.
- Keep a copy of the parental involvement policy for your own records and future use.

Best practices once a program is licensed

- Include the parental involvement policy in information packages for parents.
- Ask parents for feedback on the policy and for additional suggestions for involving them in the program. Revise the policy if appropriate.
- Review the policy annually and revise if appropriate.

Regulation 2(4)

Child Day Care Programs that May Be Offered

This regulation has already been explained with Regulation 2(3), Type of Application and Contact Person.

Regulation 2(5)

Type of Facility – Centre or Family Day Home

This regulation has already been explained with Regulation 2(3), Type of Application and Contact Person.

2(6)

The Director or a person designated by the Director may attach terms and conditions to a license.

Regulation 2(6)

License with Terms and Conditions**Why**

- As long as the environment is safe and healthy for children, a license may be granted with certain terms and conditions. This allows the program to operate while the terms and conditions are being addressed.
- To inform the public and users of the conditions associated with the child care facility license.

What it means

- If the Director issues a license with terms and conditions this will be stated on the license.
- A license with terms and conditions will include a letter explaining what has to be done and the date by which the terms and conditions have to be met in order for the facility to keep its license. This could range from:
 - a few days in order to complete minor deficiencies identified during an inspection, to,
 - a longer term for larger renovations or repairs.
- The Director will determine if additional inspections are needed to confirm that terms and conditions have been met.
- Once the required improvements have been made the Director will reissue the license.
- If the terms and conditions are not met within the required time frame the Director may suspend or revoke the license (under the *Child Day Care Act* Section 16(1)).

How

- Share any terms or conditions with potential users of the program.
- Make changes within the time frame specified on the license so that the terms and conditions are met, and a new license, without terms or conditions, can be issued.

Best practices once a program is licensed

- See *What to do if an inspector requires improvements* after Regulation 2(7).

2(7)

A license is valid

- (a) in the case of a license issued subject to terms and conditions, until the expiry of the time stated on the license for compliance with terms or conditions;
- (b) in the case of a license issued subject to an order of the Minister exempt the operator from compliance with provisions of the Act or these regulations, for a period of three years; and
- (c) in any other case, for the period stated in the license, unless suspended or revoked.

Regulation 2(7)

License Renewal**Why**

- To explain the process that will be used to renew a license.

What it means

- The operator does not have to apply for license renewal.
- Every year the Regional Early Childhood Officer, Fire Marshal and Environmental Health Officer will each conduct an inspection of the facility and write a report.
- The Director will automatically renew a license if the inspection reports from the Regional Early Childhood Officer, Fire Inspector and Environmental Health Officer show that the operator and facility meet all of the requirements of the Act and Regulations.
- When a license is renewed it may include terms or conditions that the operator has to address by a specified date.
- *What to do if an inspector requires improvements* explains what will happen, and what the operator needs to do if there are conditions that do not meet the requirements of the *Child Day Care Act* or *Child Day Care Standards Regulations*.

How

- Keep up-to-date with the requirements of the *Child Day Care Act* and Regulations.
- Expect annual inspections from the Regional Early Childhood Officer, Fire Marshal and EHO.
- Remember the Regional Early Childhood Officer, Fire Marshal and EHO can inspect a facility at any time, not just once a year.
- Understand that the purpose of inspections is to support quality early childhood programs, with a focus on the health and safety of children. Inspections are not intended to “make life difficult” for child care operators.
- Ask your Regional Early Childhood Officer for help if you don't understand what you need to do in order to meet the requirements of the Act or Regulations.
- See *What to do if an inspector requires improvements* on the next page.

What to do if an inspector requires improvements

The Regional Early Childhood Officer, Fire Inspector and Environmental Health Officer (EHO) will inspect the facility each year as part of the process for license renewal. Each is looking to see if the operator, the facility and the program meet the requirements of the *Child Day Care Act* and *Child Day Care Standards Regulations*. If an inspector identifies a condition or conditions that need to be fixed, corrected or improved:

- The Director will decide if the program will be allowed to operate while required improvements are being made. This depends on whether the care of children and the safety of children, staff and volunteers can be maintained. If the Director allows the program to operate:
 - The Director will issue or renew the license and attach terms and conditions until the things identified by the Regional Early Childhood Officer, Fire Marshal or EHO have been taken care of.
 - Fire Marshal and Environmental Health Officer may close a program if it is in violation of the *National Fire Code of Canada* or the *Public Health Act*.
 - A license with terms and conditions will include a letter stating what has to be done, and by what date.
- On the information board in the facility, post the license and the letter from the Director that lists the required improvements and authorizes the program to continue to operate while improvements are being made.
- Make the changes and ask the Fire Marshal, EHO or Regional Early Childhood Officer (ECO), as appropriate, to inspect the changes and confirm to the Director that they have been made. Provide evidence that deficiencies have been corrected. For example through a letter, statutory declaration, photos, and/ or further Fire, EHO and ECO inspection reports.
- Once the required improvements have been made the Director will renew the license. (You can now remove from the information board the letter from the Director that lists the required improvements.)
- If the changes are not made within the required time frame the Director may suspend or revoke the license.
- Keep for your own records any reports, letters, and documentation of required changes and improvements.

Some things to keep in mind about inspections:

- Inspections look for compliance with all aspects of the Act and Regulations but some regulations are of specific interest to the Regional Early Childhood Officer, Fire Marshal or EHO. Throughout this manual, as these regulations are discussed you will be referred back to this box.
- If changes are required as a result of an inspection it is because an inspector finds things that don't meet the requirements of the Act or Regulations. Inspections are not intended to be picky or make life difficult – they are intended to ensure the safety, quality care, instruction and supervision of children.
- The Regional Early Childhood Officer, Fire Marshal or EHO could inspect a facility at any time, not just once a year for license renewal. If an inspector requires changes, make them without delay to avoid having your license suspended or revoked.
- Contact the Regional Early Childhood Officer, EHO or Fire Marshal if you need additional support or more information.