

Provincial Regulations

The Government of Alberta regulates child care services via the *Alberta Child Care Licensing Act*, and *Alberta Child Care Licensing regulation 143/2008* with amendments up to and including *Alberta Regulation 62/2013* (hereafter “the *Licensing Regulation*”). There is no overlap between Alberta Provincial Licensing regulation and the requirements in Section 80 of Zoning Bylaw 12800.

The Government of Alberta assigns responsibility for overseeing child care services to a regional authority. Edmonton and area is within Region 6 jurisdiction. The regional authority for Edmonton will approve all completed applications; however, it is a lengthy process for an applicant to compile a completed application because a completed application consolidates several written decisions from multiple levels of government and agencies. For example, a complete application would include a program plan, a staffing plan, the administrative policies and procedures for the facility, the results of criminal record check (for individual license holders), evidence of corporate status, and general liability insurance, and written evidence of zoning, health and safety approvals. After a completed application is received by the regional authority, it may take up to 90 days for the regional authority to render a decision.

Programming:

The *Licensing Regulation* separates the child care services into several types of programs:

Preschool Program

“A child care program provided to preschool and kindergarten children for less than four hours per child in each day the program is provided and operates in accordance with Schedule 5 of the Child Care Licensing Regulation.”

Day Care Program

“Any child care program provided to seven or more children for four or more consecutive hours in each day the program is provided and operates in accordance with Schedule 1 of the Child Care Licensing Regulation.”

Out-of-School Care Program

“A child care program caring for seven or more kindergarten and school-aged children before and after school, during the lunch hour and/or when schools are closed and operates in accordance with Schedule 4 of the Child Care Licensing Regulation.”

Innovative Child Care Program

“A child care program approved by the Director that is designed to meet the unique child care needs of the community in which the program is provided and operates in accordance with Schedule 3 of the Child Care Licensing Regulation.”

The *Licensing Regulation* relies on municipal land use bylaws to ensure the premises are a suitable location. Additionally, an on-site inspection of the premises by the provincial licensing officer is required prior to issuing a decision to ensure that all areas of the *Licensing Regulation* are satisfied. The first license issued for a premise is valid for one year, and a subsequent application is required to renew the license. After the first year, licenses can be renewed on one or three year terms.

The licensing regulation determines the capacity based on the net floor area available for children to rest, eat and play. The indoor and outdoor play space requirements set the license capacity, which in turn, dictates the total number of staff required. The space requirements vary based on the program type, as detailed in Play Space Requirements table in Attachment 1.

Day care programs are required to have an enclosed outdoor play space at the rate of 4.5 square metres per child for 50% of licensed capacity. Out-of-School Care and Pre-School programs are also required to have access to an appropriate outdoor play space, but a quantity is not specified. This space does not have to be on the same site, but within a “reasonable distance” from the child care facility. Reasonable distance is discretionary, based upon the needs and abilities of the smallest/weakest child. Day care programs require the largest amount of space at a rate of at least 5.25 square metres of combined indoor (3.0 m²) and outdoor play space per child (2.25 m²).

Staffing:

The *Licensing Regulation* recognizes three certification classes of child care caregivers. In order of increasing education and responsibility, there is a Child Development Assistant, a Child Development Worker, and a Child Development Supervisor. Certification evaluates an applicant’s post-secondary training in early childhood education or equivalent and determines if they are eligible for one of the three levels of certification. The requirements for each certification are as follows:

Child Development Assistant (formerly Level 1)

*completed the Child Care Orientation Course; or
completed “careers in child care for high school students” core courses; or
completed a 45-hour (3 credit) college-level course in child development.*

Child Development Worker (formerly Level 2)

*Completed a one-year Early Learning and Child Care certificate program;
Obtained a Canadian Language Benchmark Assessment (CLBA) of at least
Level 7; and
Completed a college-level English/French course.*

Child Development Supervisor (formerly Level 3)

*Completed a two-year early learning and child care certificate program; and
Obtained a Canadian Language Benchmark Assessment (CLBA) of at least
Level 7; and
Completed a college-level English/French course.*

As a function of Government of Alberta *Licensing Regulation*, at least one Child Development Supervisor is required to be on duty at all times. As a result there is high demand for people with this qualification.

The primary constraint on capacity is the staff to child ratio and the play space requirements for daycare programs. The program type dictates the staff to child ratio and maximum children in a group

of similar age children or mixed age children. In general, older children require less direct supervision and as a result, the staff ratio is lower, and the maximum group size can be higher. The caregiver to child ratio depends on the age of the children and the program type. Pre-school programs do not have a maximum number of children allowed in a group. Daycare programs have the highest requirements for staff, as well as the most additional regulations.

Caregiver to Child Ratio				
Age of Children	Development Stage	Primary Staff Member to Children Ratio	Maximum Number of Children in a Group	Program type
Less than 1 year	Newborn	1:3	6	Daycare
1 year to 1.5 years	Infant	1:4	8	Daycare
>1.5 years to less than 3 years	Toddler	1:6	12	Daycare
3 years to less than 4.5 years	Pre-school	1:8	16	Daycare
3 years to less than 4.5 years	Pre-school	1:12	--	Pre-school
4.5 years to less than 6 years	Kindergarten	1:10	20	Daycare
4.5 years to less than 6 years	Kindergarten	1:12	--	Pre-school
4.5 years to less than 6 years	Kindergarten	1:10	20	Out-of-School
6 years and older	School-aged	1:10	20	Daycare
6 years and older	School-aged	1:12	--	Pre-school
6 years and older	School-aged	1:15	30	Out-of-School

These staff to child ratios are halved when children are sleeping.

The outdoor play space requirements are highest for daycare programs for toddlers, and are not specified for programs for school-aged children.

Play Space Requirements			
Program type	Development Stage	Indoor Play Space (square metres)	Outdoor Play Space (square metres) *must be adjacent to or within easy and safe walking distance from the program premises
Day care program	Infant/Newborn	3.0	2.0 sq m for 50% of licensed capacity
Day care program	Toddler	3.0	4.5 sq m for 50% of licensed capacity
Pre-school program	Preschool	2.5	Not specified
Out of school care program	Kindergarten	2.5	Not specified
Out of school care program	School Aged	2.5	Not specified
Innovative child care program	Not specified	Not specified	Not specified