

Authorizing Recreational and Skill Building Programs A Resource for Service System Managers

PURPOSE:

Service system managers have the option to authorize recreational and skill building programs under the *Child Care and Early Years Act, 2014* (CCEYA) to meet child care needs of families.

The document is divided into two sections.

- The first section provides an overview of the child care and early years legislative and regulatory framework, and describes how authorized recreational and skill building programs, and other programs and services fit into care options available to families.
- The second half of the document provides some guidance regarding elements a service system manager may want to consider if it chooses to exercise its authority to authorize recreational and skill building programs.

Common Terms:

A description of three key terms used throughout the document is provided below based on definitions contained in the CCEYA and its regulations:

Recreational etc.: Under the CCEYA, “recreational etc.” are programs whose primary purpose is not to provide child care but rather to promote recreational, artistic, musical, or athletic skills or provide religious, culture or linguistic instruction. **These programs are not considered child care under the CCEYA and do not require a licence or authorization.**

Authorized recreational and skill building programs: Under the CCEYA, these are programs whose primary purpose is to provide child care but also include, as a complementary purpose, activities that promote recreational, artistic, musical, or athletic skills or provide religious, culture or linguistic instruction. **These programs are considered child care under the CCEYA, however, if they meet certain criteria, they may operate without a licence in accordance with the CCEYA and its regulations.**

Service system manager: Service system managers are Consolidated Municipal Service Managers or District Social Services Administration Boards that have been designated under the CCEYA as service system managers responsible for child care and early years programs and services for their designated service area. Service system managers have specified powers and duties under the CCEYA. This includes developing and administering local policies respecting the operation of child care and early years programs and services and developing child care and early years programs and services plans to address matters of provincial interest.

SECTION 1: LEGISLATIVE AND REGULATORY FRAMEWORK

The *Child Care and Early Years Act, 2014 (CCEYA)*

The CCEYA sets out what programs and services are not considered child care and do not require a child care licence or authorization.

Examples of circumstances where care or supervision of children that is not considered child care include:

- Nannies or babysitters that provide care to children in the children's own home
- Care by relatives
- Camps where the care or supervision is provided only for children who are four years old or older, or if the care or supervision is provided on or after September 1 in a calendar year, will attain the age of four in that calendar year.
- Before and After School Programs (“extended day programs”) directly operated by School Boards for Kindergarten – Grade 6 (school board operated programs are regulated under Part IX.1 of the [Education Act](#) and [Ontario Regulation 221/11](#))
- [Recreational, etc.](#) programs where the **primary purpose** is to promote skill-based sports and recreation

Recreational, etc.

Programs where **the primary purpose** is to promote skill-based sports and recreation are not considered child care and do not require a licence. This exemption is set out in the Act:

The care or supervision is provided as part of a program, the primary purpose of which is not to provide temporary care for or supervision of children but rather to promote recreational, artistic, musical or athletic skills or to provide religious, cultural or linguistic instruction. (Paragraph 7, Section 4(1) of the CCEYA)

These programs tend to be episodic programs and services of short duration and frequency. For example, this can include things such as:

- One hour lessons (e.g. dance, music, swimming)
- Team sports (e.g. hockey practice and games)
- Club activities that are offered once or twice a week (e.g. Girl Guides, 4-H)

The ministry looks at six factors to determine whether a program’s primary purpose is recreational or child care: (i.e. frequency and duration; ages of children; programming content; transportation; the facilities, equipment and furnishings; and whether registration and administration is coordinated with one or more other programs)

To determine whether a program falls under the recreation exemption, please email: information.met@ontario.ca with a description of the program in relation to the factors noted above.

More information about determining a program’s primary purpose can be found here: <http://www.edu.gov.on.ca/childcare/PrimaryPurpose.html>

Types of Child Care

Where programs are not exempted from the meaning of child care, these programs must operate as one of the following types of care, and are subject to rules and regulations that govern how they operate:

1. Licensed Child Care Centre

- May serve children of any age (aged 0-13)*¹
- Subject to additional rules and requirements set out under the CCEYA and its regulations (e.g. age groupings, ratios, health, safety, administration, programming)
- Must display decal to be easily identifiable as licensed child care
- Applicants must enrol in the web-based Child Care Licensing System (CCLS) to submit an application. CCLS can be accessed through the [Early Years Portal](#). Click on the “Continue” link to begin the enrolment process. The [CCLS Registration Guide for New Applicants](#) provides step-by-step instructions on how to complete your CCLS registration

2. Licensed Home Child Care (affiliated with a licensed home child care agency)

- Cares for no more than 6 children of any age (per home)
- No more than 3 children under the age of 2 (unless otherwise approved by the Ministry of Education)
- Must include provider’s own children under the age of four (or if child care is provided on or after September 1 in a calendar year, the child will attain the age of four in that year) for the purposes of counting children in care
- Subject to additional rules and requirements set out under the CCEYA and its regulations (e.g. health, safety, administration, programming)
- Must display decal to be easily identifiable as licensed child care
- Providers interested in working with a home child care agency can contact the Home Child Care Association of Ontario through their website at <http://www.hccao.com>, to find home child care agencies
- The ministry’s Licensed Child Care Website also provides information on licensed home child care agencies across the province at www.ontario.ca/licensedchildcare
- Applicants seeking a licence must enrol in the web-based CCLS to submit an application. CCLS can be accessed through the [Early Years Portal](#). Click on the “Continue” link to begin the enrolment process. The [CCLS Registration Guide for New Applicants](#) provides step-by-step instructions on how to complete your CCLS registration

¹ Under the CCEYA, “child” means a person who is younger than 13 years old.

3. Unlicensed Child Care

- Cares for no more than 5 children
- No more than 3 children under the age of 2
- Must include provider's own children under the age of 4 (or if child care is provided on or after September 1 in a calendar year, the child will attain the age of four in that year) for the purposes of counting children in care
- Must inform parents/guardians in writing that they are an unlicensed provider. This notification should say: "This child care program is not licensed by the Government of Ontario." Providers must keep a copy on file for two years
- May not operate multiple premises
- For more information on rules governing unlicensed child care, please see:
 - [Child care rules under the *Child Care and Early Years Act, 2014* \(CCEYA\)](#)
 - [Home Child Care and Unlicensed Child Care: How Many Children Are Allowed? \(PDF, 96.9 kb\)](#)

4. Authorized Recreational and Skill Building Programs

- Care is provided only for children who are four years old or older, or if the child care is provided on or after September 1 in a calendar year, will attain the age of four in that calendar year.
- Operates once a day for no more than 3 hours (e.g. after school) on **weekdays**
- Complementary to providing care, the program promotes recreational, artistic, musical or athletic skills or provides religious, cultural or linguistic instruction
- Is not operated in a person's home
- Is one of the following:
 - Operated by the local service system manager, a municipality, a school board, a First Nation or the Métis Nation of Ontario
 - An Ontario's After School Program funded by the Ministry of Tourism, Culture and Sport (MTCS)
 - Operated by a member of the YMCA or by a member of the Boys and Girls Clubs of Canada
 - Operated by a member of a provincial sport or multi-sport organization recognized by MTCS where the program's activities are related to the sport or sports promoted by the organization
 - Operated by an [agency or attraction of MTCS](#)
 - Operated by an organization that is recognized by Parks and Recreation Ontario as HIGH FIVE accredited organization

- Operated by a Friendship Centre that is a member of the Ontario Federation of Indigenous Friendship Centres
- Authorized by the service system manager to offer child care in their service area provided that the provider can demonstrate to the service system manager that it offers programming that supports the health, safety, and well-being of children.
- Authorized by a First Nation to offer child care on their territory provided that the provider can demonstrate to the First Nation that it offers programming that supports the health, safety and well-being of children

SERVICE SYSTEM MANAGER AUTHORITY

Authorizing recreational and skill-building programs is a discretionary power that service system managers may choose to exercise to meet needs of families in accordance with the CCEYA. Service system managers are not required to authorize recreational and skill building programs.

Regulatory changes effective September 1, 2019 will expand the list of authorized recreational and skill building providers to include organizations that are recognized by Parks and Recreation Ontario as HIGH FIVE© accredited organizations as well as Friendship Centres that are members of the Ontario Federation of Indigenous Friendship Centres. The addition of two new operators to the list of authorized recreational and skill building providers may expand the availability of recreational programming in some communities and provide service system managers with additional recreational options.

Why Authorize Recreational and Skill Building Programs?

This optional authority allows service system managers to permit eligible programs to operate without a child care licence for up to 3 consecutive hours once a day (e.g. after school). As of July 1, 2019, the age eligibility for these programs was lowered from 6 to 4 years old as per the *Restoring Ontario's Competitiveness Act, 2019*.

Note: Authorized recreational and skill building programs that have entered into an agreement with a school board to provide after school care as a third party program may be permitted to provide care for children ages 3.8 and up as of September 1, 2019, provided all requirements in legislation, regulation and policy are met.

Authorized recreational and skill building programs are intended to provide options for families seeking care after school. However, nothing in the CCEYA or regulations prohibits an authorized recreational and skill building program from operating during another time of day (e.g. before school).

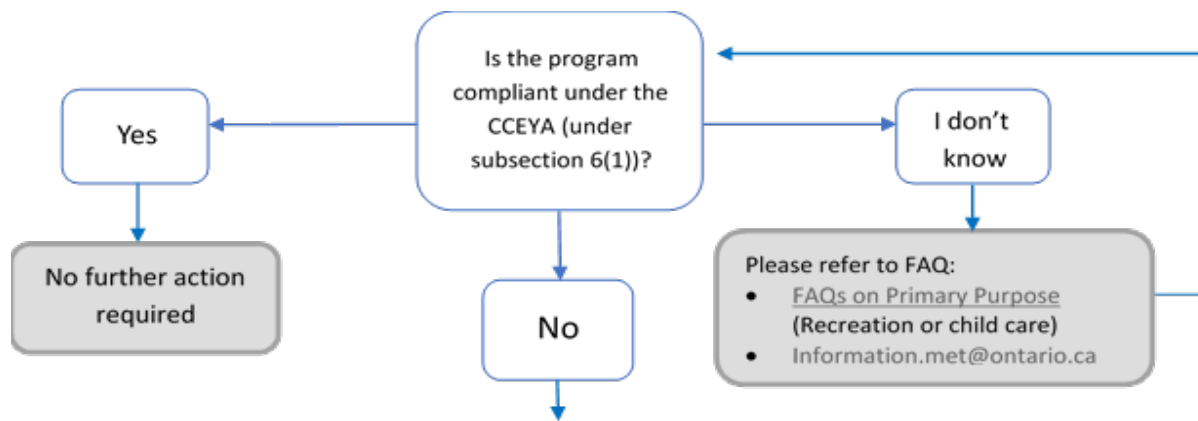
Authorizing recreational and skill-building programs is one of many different options that support access to after-school care such as:

- Licensed child care centres

- Before-and after-school programs (“extended day programs”) directly operated by school boards
- Other authorized recreational and skill building programs (e.g. programs operated by municipalities, by organizations recognized by Parks and Recreation Ontario as HIGH FIVE accredited organizations, by Friendship Centres that are members of the Ontario Federation of Indigenous Friendship Centres, a member of the YMCA, Boys and Girls Clubs of Canada, MTCS After School programs).
- Unlicensed child care
- Licensed Home child care (i.e. affiliated with a licensed home child care agency).

Determining Whether a Program is Child Care: Compliance Under the CCEYA

The following flow chart outlines options for program compliance in accordance with the CCEYA and regulations.



| Action Required (Options Below) | |
|---|---|
| <p>OPTION 1: Unlicensed Child Care</p> <ul style="list-style-type: none"> ✓ Maximum of 5 children in care* ✓ No more than 3 children under the age of 2* | <p>OPTION 2: Licensed Child Care</p> <p>Licensed Child Care Centres:</p> <ul style="list-style-type: none"> ✓ Can serve children of any age ✓ Can offer full-time, part-time, before and after school care ✓ Complies with health and safety requirements in the CCEYA and its regulations <p>Licensed Home Child Care:</p> <ul style="list-style-type: none"> ✓ Maximum of 6 children in care* ✓ No more than 3 under the age of 2* ✓ Complies with health and safety requirements in the CCEYA and its regulations |
| <p>OPTION 3: Authorized Recreational and Skill Building Programs</p> <ul style="list-style-type: none"> ✓ Serves children age 4 years or older*** ✓ Operates once a day for up to three consecutive hours ✓ Operated by: <ul style="list-style-type: none"> ○ Municipality ○ Local Service System Manager ○ School Board ○ First Nation ○ Metis Nation of Ontario ○ A member of YMCA Canada ○ A member of Boys and Girls Clubs Canada ○ MTCS agencies and attractions ○ Programs authorized by service system manager or First Nation ○ Organization recognized by Parks and Recreation Ontario as HIGH FIVE accredited ○ Friendship Centre that is a member of the Ontario Federation of Indigenous Friendship Centres | <p>OPTION 4: Modify Program to Meet Exemption in Act or Regulations (some examples below)</p> <p>Nutrition Programs</p> <ul style="list-style-type: none"> ✓ Purpose to provide nutritious meal/snack so children are well-nourished, ready to learn ✓ Operated with a school, a child and family program, a publicly funded entity or community organization. <p>Preparation for JK</p> <ul style="list-style-type: none"> ✓ Prepares children for JK ✓ Only serves children eligible for JK within a year's time ✓ Operated by a child and family program, school, First Nation/Gov of Canada, or provider approved by school board or First Nation/Gov of Canada ✓ Operates no more than 7.5 hrs/week or 72 hrs total <p>Academic</p> <ul style="list-style-type: none"> ✓ Only serves children ages 4 and up** ✓ Assists children with academic studies/skills <p>Recreation etc</p> <ul style="list-style-type: none"> ✓ Primary purpose is not child care ✓ Includes a component that is recreational, artistic, musical or athletic skills or to provide religious, cultural or linguistic instruction. |
| <p><i>*must include provider's own children under age 4 when counting children in care unless an exception applies</i> <i>**or turning 4 by end of the calendar year if the program starts on/after first day of school.</i> <i>***or turning 4 by the end of the calendar year if the program starts on/after September 1.</i> Programs may be subject to additional requirements. Please check the Act and its regulations for more information.</p> | |

SECTION 2: AUTHORIZING RECREATIONAL AND SKILL-BUILDING PROGRAMS**REQUIREMENTS TO AUTHORIZE RECREATIONAL AND SKILL BUILDING PROGRAMS**

In accordance with the legislation and regulations, if a service system manager wishes to authorize a recreational and skill building program, the program **must meet all** of the following requirements:

- Complementary to providing care, the program promotes recreational, artistic, musical or athletic skills or provide religious, cultural or linguistic instruction
- Is not operated in a person's home
- Operates on weekdays once a day for no more than three consecutive hours after school
- Care is provided only for children who are four years old or older, or if the child care is provided on or after September 1 in a calendar year, will attain the age of four in that calendar year.
- Demonstrates to the service system manager that it supports the health, safety and well-being of children

SUPPORTING HEALTH, SAFETY AND WELL-BEING OF CHILDREN:

Ontario Regulation 137/15 requires that in order to be eligible to be an authorized recreational and skill building program, a program **must demonstrate** to the service system manager that it offers programming that supports the **health, safety and well-being of children**.

It is up to the service system manager to determine whether, in each case, a program meets this standard. This document is intended only to provide guidance in making such a determination.

The considerations below were informed by existing standards and regulations for school-aged programs including licensed child care and the program guidelines for the Ministry of Tourism, Culture and Sport funded After-School Programs. The document was also informed by feedback and advice from the children's services sector including municipalities, recreation providers, and multi-service operators.

Service system managers may wish to consider requiring the following policies and procedures from programs seeking to become authorized recreational and skill building programs to demonstrate that they support the health, safety and well-being of children.

Service system managers may wish to consider whether programs have health and safety policies and procedures in place that are reviewed by staff on an annual basis or more frequently. These policies and procedures may include:

Plans for Children with Medical or Special Needs (e.g. Anaphylaxis)

- Provider works with parents to reduce risks and identify supports to accommodate needs of children
- Description of any supports, aids or medical devices and instructions for use, including administration of medicine
- Procedures to follow to respond to changes in health or medical condition (e.g. seizure, allergic reaction)
- Additional considerations where child may be off-site (e.g. field trip, evacuation)

In the Event of an Emergency

- Roles of staff member in the event of an emergency (e.g. fire)
- Procedure if premises must be evacuated so children are safe and supervised including consideration of special needs in case of emergency
- Designated off-site location in the event of evacuation
- Information for who to contact in case of emergency for each child
- Contact information for emergency services (e.g. poison control, taxi service)
- Communication to parents, appropriate local authorities

First Aid, CPR and Accident and Injury Responses

- Having staff certified in Standard First Aid and CPR training
- Having first aid kit(s) on site
- How to respond to accidents/injuries
- Communication to parents in the event of an accident or injury
- Review of response following incident to assess practices moving forward

Condition and Safety of Equipment and Facilities

- Ensure materials equipment, and furnishings are maintained in a safe and clean condition and kept in a good state of repair
- Ensure hazardous and toxic materials and medications are not accessible by children
- If outdoor space is used, ensure it is safe and free of hazards

Safe Arrival and Departure of Children

- Daily sign-in/sign-out procedure so that staff are aware of children in attendance
- Response if child does not attend and staff have not been notified in advance

- How parents must inform the program who is allowed or is not allowed to pick up their children
- How parents must give their written consent for children of any age to sign themselves in and out

Nutrition, Safe Food Handling and Sanitation

- Food Handler Certification
- How the program is preventing food-borne illnesses
- Storage, cleanliness and preparation of food
- Adherence to local public health guidelines for sanitary practices
- Food meets guidelines set out in [Canada's Food Guide](#)

Vulnerable Sector Screening

- Vulnerable sector checks (VSCs) from staff, volunteers, and students before they interact with children
- Renewal of VSCs and offence declarations (e.g. VSC every five years, offence declaration annually)
- Procedures for appropriately screening or supervising persons in contact with children in their programs

Protection and Privacy

- Measures to ensure the protection and privacy of children's records

Liability Insurance

- Comprehensive general liability coverage

Staff Qualifications

- Program has qualified and trained staff with the skills and experience to deliver programming, and support healthy child development
- Cultural competency of staff including staff working with Indigenous children and youth
- These staff could include graduates and students of degree and diploma programs in child and youth related fields (child and youth care, early childhood education, recreation and leisure) or other relevant training
- Program provides opportunities for ongoing learning for staff, volunteers

Supervision, Staffing Ratios and Group Size

- Ensures children are supervised by an adult at all times

- Programs have staff to child ratios that support positive interactions and adequate supervision
- Evidence suggests ratios of 1 staff to no more than 15 children as a best practice
- Small group sizes also support meaningful relationships and interactions with staff and children (e.g. max group size of 30)

Programming

- Program demonstrates values, goals and approaches that are consistent with view of children, foundations and approaches set out in [*How Does Learning Happen? Ontario's Pedagogy for the Early Years*](#)
- Programs are strengths-based, inclusive, and responsive to the varied abilities of children
- Programs support positive and meaningful interactions among children, parents, and staff
- Identifies prohibited practices that are detrimental to the health, safety and well-being of children
- Programs establish and maintain positive, harassment/discrimination free environments for optimal participant growth
- Culturally responsive programming such as trauma-informed spaces that responds to needs of all students, including Indigenous students
- Programs offer additional professional development, and/or participation in quality assurance programs (e.g. HIGH FIVE certification)

Additional Considerations when Authorizing Programs

Service system managers may:

1. Consider whether the program they are authorizing aligns with the broader outcomes and objectives identified in their service system plans.
2. Review the organizational capacity of providers seeking to become an authorized recreational and skill building program. This may include:
 - Strong administrative accountability under governance of a Board of Directors
 - Roles and responsibilities are clearly defined by service system managers
 - There are procedures, communication protocols, and timeframes set out for determining and rolling out new policies and practices
 - Organizations that have demonstrated they have strong partnerships with the broader community

3. Consider and/or partner with an Indigenous organization, like Friendship Centres, to meet the needs of Indigenous community members.
4. Collaborate with the district school board if the program will be taking place in a school location.

ISSUING AUTHORIZATION

Currently, service system managers have the flexibility to enter into purchase of service agreements with eligible recreation programs for the provision of child care fee subsidy, provided the program meets the conditions set out under provincial guidelines.

Many service system managers have set out local policies for eligibility and established approaches to ensuring recreation programs are meeting eligibility requirements. Service system managers may wish to leverage these existing practices when authorizing recreational and skill building programs.

Separate Decisions: Providing Fee Subsidy and Authorizing Recreational and Skill Building Programs

Please note, a local service system manager's power to authorize recreational and skill building programs is a separate and distinct power from its power to enter into a purchase of service agreement with an eligible authorized recreational and skill building program or camp² for fee subsidy.

Becoming an authorized recreational and skill building program does not entitle the program to a purchase of service agreement for fee subsidy.

Fee subsidies for eligible authorized recreational and skill building programs and camps are provided by service system managers and will continue to be based on their discretion regarding local fee subsidy management. Service system managers may continue with existing contractual processes in place (e.g. continue or enter into purchase of service agreements with individual providers).

Under Ontario Regulation 138/15 children attending camps operated by authorized recreational and skill building programs are eligible for fee subsidy and special needs resourcing.

It is up to service system managers to make determinations with regards to monitoring and terms of authorization. Some further considerations are noted below.

Terms of Authorization and Revocation

Service system managers may also choose to set a term of authorization for recreational and skill building programs and determine whether programs will be required to be re-assessed after a given period of time.

² Camps are defined under subsection 4(9) of the CCEYA and subsection

- The service system manager may wish to have signed agreements with authorized programs that set out:
 - Term of authorization
 - Information sharing and assessment procedures (e.g. site visits, reporting requirements)
 - Grounds for revocation of authorization (e.g. may be revoked at any time where a program is found to fail to meet standards/requirements for authorization).
 - Whether there is a review or appeal process where a provider wishes to contest a local decision.

Communications

Service system managers may wish to develop communication resources and protocols to help inform parents of available programs and services that have been authorized such as information on local websites or signage etc.

Ministry of Education and Compliance under the CCEYA

Where there is concern that an unlicensed program or service is not compliant with the CCEYA and the provider advises that it has been authorized by the service system manager to operate as an authorized recreational and skill building program, the ministry may contact the service system manager to confirm this information.

The ministry will notify the service system manager where a program that has been authorized by the service system manager is found to be non-compliant under the Act (e.g. operating for more than 3 hours).

MINISTRY CONTACTS AND ADDITIONAL INFORMATION

Additional resources related to compliance and licensing:

- Information on Child Care Modernization including
 - [Qs and As on authorized recreational and skill-building programs](#) under the CCEYA
 - Information on [determining whether a program's primary purpose is recreation or child care](#)
- [The Child Care and Early Years Act, 2014](#), governs the provision of child care and early years programs and services in Ontario.
- The [General Regulation](#) under the *Child Care and Early Years Act, 2014* addresses matters such as licensing standards, administrative penalty amounts, and exemptions from licensing.
- Providers interested in working with a home child care agency can contact the Home Child Care Association of Ontario to find home child care agencies through their website at <http://www.hccao.com>.

- The ministry's Licensed Child Care Website also provides information on licensed home child agencies across the province at www.ontario.ca/licensedchildcare
- Applicants seeking a licence must enrol in the web-based CCLS to submit an application. CCLS can be accessed through the [Early Years Portal](#). Click on the "Continue" link to begin the enrolment process. The [CCLS Registration Guide for New Applicants](#) provides step-by-step instructions on how to register and complete your CCLS registration.
- Programs seeking to be licensed can contact the Licensed Child Care Helpdesk at 1-877-510-5333 for information on licensing requirements
- More information on rules governing unlicensed child care can be found at:
 - ["The New Child Care and Early Years Act: What Providers and Parents Need to Know"](#)
 - [Home Child Care and Unlicensed Child Care: How Many Children Are Allowed? \(PDF, 96.9 kb\)](#)

To report a complaint about unlicensed child care, please provide the name of the provider or program, the address and a description of your concern to:

Telephone: 1-844-516-6263

Email: information.met@ontario.ca

Service system managers may also direct inquiries to their local Early Years Advisor for more information.

The information provided in this document is intended only to provide guidance and considerations for service system managers that choose to authorize recreational and skill building programs.

Please be advised that the ministry cannot provide legal advice or interpretation of legislation and this document should not be relied on as such. If assistance is required with respect to the interpretation of the legislation and its potential application in specific circumstances, please contact your legal counsel.

**APPENDIX A:
Authorized Recreational and Skill Building Programs
(Legislative and Regulatory Framework)**

Child Care and Early Years Act, 2014

Under subsection 6(4) of the Act, [“ authorized recreational and skill building programs”](#) are programs that:

- Have the primary purpose to provide child care
- Promote recreational, artistic, musical or athletic skills or provides religious, cultural or linguistic instruction
- Are not operated in a person’s home
- Care is provided only for children who are four years old or older, or if the child care is provided on or after September 1 in a calendar year, will attain the age of four in that calendar year.
- Meet conditions set out [section 3.1 of the General Regulation](#) (as described below)

General Regulation

As part of the ministry’s regulatory work to modernize child care, the regulations [set out conditions for authorized recreational and skill building programs](#).

These regulations require that:

- The program operates on weekdays for no more than one period of three or fewer consecutive hours each day.

AND

- The program must meet one of the following criteria:
 - operated by the local service system manager, a municipality, a school board, a First Nation, the Métis Nation of Ontario, or a municipality
 - part of Ontario’s After School Program funded by the Ministry of Tourism, Culture and Sport
 - operated by a member of YMCA Canada, or the Boys and Girls Clubs of Canada
 - operated by a provincial sport or multi-sport organization recognized by the Ministry of Tourism, Culture and Sport where the program’s activities are related to the sport or sports promoted by the organization,
 - operated by an [agency or attraction of the Ministry of Tourism, Culture and Sport](#)
 - Operated by an organization that is recognized by Parks and Recreation Ontario as HIGH FIVE accredited organization
 - Operated by a Friendship Centre that is a member of the Ontario Federation of Indigenous Friendship Centres

- authorized by the local service system manager to offer child care in their service area provided that the program can demonstrate to the local service system manager that it offers programming that supports the health, safety, and well-being of children.
- authorized by a First Nation to offer child care on their territory provided that the program can demonstrate to the First Nation that it offers programming that supports the health, safety and well-being of children.

Determining Whether a Program is Child Care: Compliance Under the CCEYA

Is your program compliant under the CCEYA (under subsection 6(1))?

If you have answered YES because your program is compliant under the CCEYA (under subsection 6(1)), no further action is required.

If you are unsure, please refer to the [FAQ on Primary Purpose](#) (recreation or child care) and/or email information.met@ontario.ca.

If your program is NOT compliant under the CCEYA (under subsection 6(1)), your options for action are listed below:

OPTION 1: UNLICENSED CHILD CARE

- Max. of 5 children in care*
- No more than 3 children under the age of 2*

OPTION 2: LICENSED CHILD CARE

Licensed Child Care Centres:

- Can serve children of any age
- Can offer full-time, part-time, before and after school care
- Complies with health and safety requirements in the CCEYA and its regulations

Licensed Home Child Care:

- Max of 6 children in care*
- No more than 3 children under the age of 2*
- Complies with health and safety requirements in the CCEYA and its regulations

OPTION 3: AUTHORIZED RECREATIONAL AND SKILL BUILDING PROGRAM

- Serves children ages 4 years or older only***
- Operates once a day for up to three consecutive hours
- Operated by:
 - Municipality
 - Local Service System Manager
 - School Board or First Nation
 - Métis Nation of Ontario
 - A member of YMCA Canada
 - A member of Boys and Girls Clubs
 - Ontario After-School Programs (MTCS)
 - Members of Provincial Sports Orgs (MTCS)
 - MTCS agencies and attractions

- Program authorized by service system manager or First Nation
- Organization recognized by Parks and Recreation Ontario as HIGH FIVE accredited
- Friendship Centre that is a member of the Ontario Federation of Indigenous Friendship Centres

OPTION 4: Modify Program to Meet the criteria for an Exemption in Act or Regulations

The following are examples of some exemptions:

Nutrition Programs

- Purpose to provide nutritious meal/snack so children are well-nourished, ready to learn
- Operated with a school, a child and family centre, a publicly funded entity or community organization.

Preparation for JK

- Prepares children for JK
- Only serves children eligible for JK within a year's time.
- Operated by child and family centre, school, First Nation/Gov of Canada, or provider approved by school board or First Nation/Gov of Canada
- Operates no more than 7.5 hrs/week or 72 hrs total

Academic

- Only serves children ages 4 and up**
- Assists children with academic studies/skills

Recreational etc.

- Primary purpose is not child care
- Includes a component that is recreational, artistic, musical or athletic skills or to provide religious, cultural or linguistic instruction.

Additional Information:

*must include provider's own children under age 4 (if the child care is provided on or after September 1 in a calendar year, the child will attain the age of four in that calendar year) when counting children in care unless an exception applies

**or turning 4 by end of the calendar year if the program starts on/ after first day of school.

***or turning 4 by end of the calendar year if the program starts on/ after September 1

Programs may be subject to additional requirements. Please check the CCEYA and its regulations for more information.