



PEI Advisory Council on the Status of Women

PO Box 2000 Charlottetown Prince Edward Island CIA 7N8 (902) 368-4510

March 4, 2008

Child Care Facilities Consultations
c/o HRA
1 Harbourside
Charlottetown PE CIA 8R4

Dear Ms. Gabanna:

Thank you for the opportunity to participate in public consultations on the Child Care Facilities Act review that is currently underway. We appreciate the extended period for consultation.

In June of 2003, the Advisory Council published a Policy Guide to Early Childhood Care and Education with a suite of recommendations, most of which are still relevant today. (Available at www.gov.pe.ca/acsw/index.php3?number=75172) Our policy guide acknowledges that both as consumers and providers of early childhood care and education services, women are faced with barriers to their equality and to their full and active participation in society. It is our belief that matters of quality are inextricable from the Child Care facilities act and that giving quality care means helping children meet their developmental outcomes. Such important work requires a solid infrastructure consisting of qualified early childhood educators and safe and healthy learning environments.

The PEIACSW Mandate

The Prince Edward Island Advisory Council on the Status of Women (PEIACSW) is a provincial government advisory body dedicated to supporting women's full and equal participation in social, legal, cultural, economic, and political spheres of life.

The Council regularly works in collaboration with government and community groups, undertakes research on issues of concern to women, offers analysis and recommendations to policy-makers, responds to media, and creates public education resources.

The Advisory Council has a legislated mandate to recommend legislation, policies, and practices to improve the status of women on Prince Edward Island.

The core values in the Early Childhood Care and Education policy guide include the following:

- visibility for early childhood care and education
- availability and accessibility
- affordability
- quality of care and education
- inclusivity
- supportive of parental choice

The scope of these values is wide, and the way we respond to them as a community has significant implications for the wellbeing of our children. The Prince Edward Island government has shown leadership in researching and understanding the importance of the early years, from zero to six. **We call on government to respond to what it has learned with active and forward-thinking legislation and policy to support quality early childhood care and education.**

The Child Care Facilities Act is an important element of legislation. However, legislation is only part of the story and can only be one part of a solution. Legislation exists in a context where policies and procedures, funds and other resources, and enforcement or non-enforcement can promote or restrain the effectiveness of the Act.

As we review this Act, it is clear that the legislation interacts with policy (including programs, practices, and precedents) and with governance (particularly of the Child Care Facilities Board, a Board given tremendous responsibility under the Act). All of these operate together to determine our ability as a community to create a system for child care and education that reflects core values.

It is clear that questions about the Child Care Facilities Act have sparked a passion in the community. **We call on the Province to embrace the opportunity to widen the discussion about how, as a province, we can deliver high quality, affordable, accessible, developmentally focused early learning and care opportunities to our children.**

We join community groups that are asking for more consultation so we can bring into clearer focus the hopes and the concerns of parents, educators, owner/operators, children, and citizens. These consultations should help not only to guide changes to the Child Care Facilities Act (or to affirm the Act as it currently stands); rather, they should also engage the public in the questions of policy and governance that work hand in hand to translate the Act into action.

A key point of contention in the current discussion of the Child Care Facilities Act is a question about whether or not the Child Care Facilities Board should have discretion to deny applications for new child care centres, and especially if they should have discretion

to deny applications based on number of spaces in a particular region or meeting a particular need. We find that we require more information to assess this issue.

We call on the Province to undertake and to make public a comparative assessment of how “discretion” is legislated and applied in other jurisdictions across Canada. Specifically, we are interested to learn answers to questions such as the following:

- When did other jurisdictions legislate “discretion” and why?
- Who has discretion to make decisions about new centres in each jurisdiction?
- What measurable effects have followed from allowing discretion? (For example, how many applications for new centres have been rejected, and on what kinds of grounds? Are there measurable improvements in educational and general outcomes for children in regions that allow discretion?)

Answers to these kinds of questions will help us, as members of the community, evaluate the risks and benefits for women as parents and as educators – and for children, as the most important group affected.

Additionally, we ask government to compare the Child Care Facilities Board and its powers in with other agencies, boards, and commissions within the province.

- Are there similar structures with similar powers, exerting control on issues unrelated to child care?
- How does the influence in the two matters compare?
- How do governance procedures and conflict of interest policies apply?

These questions seem important to guiding decisions about what may need to change in the Child Care Facilities Act or in the policy that surrounds it.

We understand that following a research phase and an internal decision-making phase, any revisions of the Act will come forward for public validation. We look forward to opportunities to make input again into the specific issues covered in the Child Care Facilities Act during this validation. We sincerely hope that this consultation will be only a part of a wider consultation and public conversation about early childhood care and education.

Sincerely,

Isabelle Christian
Chairperson

CC: Sarah Henry, Healthy Child Development Coordinator
Hon. Valerie Docherty, Minister Responsible for the Status of Women
Michelle Harris-Genge, Interministerial Women’s Secretariat
Members of the PEI Advisory Council on the Status of Women