



**Regulatory Registry Consultation Document regarding
Proposed Regulations under the *Early Childhood Educators
Act, 2007***

Posting Date: September 13, 2019
Submissions Required by: September 28, 2019

Strategic Policy and Planning Division
Ministry of Education
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Purpose

The purpose of this document is to seek feedback on proposed regulations to be made under the [Early Childhood Educators Act, 2007](#) (ECEA). Please take the time to review this document and provide us with your comments. More information about how to respond is provided at the end of the document. Responses must be received by the Ministry of Education (“the ministry”) no later than September 28, 2019.

Background

The ECEA established the [College of Early Childhood Educators](#) (the College), which regulates and governs Ontario’s registered early childhood educators (RECEs) in the public interest.

Pursuant to the ECEA, the College regulates the profession of early childhood education by establishing and enforcing registration requirements, ethical and professional standards, requirements for continuous professional learning, and complaints and discipline processes.

In May 2018, the Ontario Legislature passed a Bill that included amendments to the ECEA. The amendments require the College to establish a program that would provide funding for therapy and counselling for individuals who allege professional misconduct consisting of sexual abuse or a prohibited act involving child pornography against a member of the College in the course of his or her practice. These legislative amendments will come into force on January 1, 2020.

Similar programs are provided by regulatory colleges for the health professions, per the *Regulated Health Professions Act, 1991* (RHPA).

Government regulations under the ECEA are required to guide the provision of funding under this new program.

Proposed Regulations

The ministry is proposing regulations related to the funding for therapy and counselling program that would prescribe:

1. the maximum amount of funding that may be provided for a person who is eligible for funding under this program;
2. the period of time during which funding may be provided for an eligible person;
3. additional purposes for which funding may be provided under the program; and
4. additional persons to whom funding may be paid under the program.

Similar regulations are also being proposed under the *Ontario College of Teachers Act, 1996* (OCTA). The intent and parameters of the proposed regulations would look the same under both the ECEA and OCTA, as the Acts have the same legislative requirements for funding programs for therapy/counselling.

More detail on each of these proposals is outlined below.

1. Maximum Amount of Funding

The ministry is proposing to prescribe that the maximum amount of funding that would be available to an individual under the new funding program be equal to the amount that the Ontario Health Insurance Plan (OHIP) would pay for 200 half-hour sessions of individual out-patient psychotherapy with a psychiatrist. This would align with the maximum amount of funding prescribed for the same purpose under the RHPA.

This approach would ensure that the same funding level is available to individuals who allege sexual abuse/child pornography by members of the College as is available to patients who allege sexual abuse by regulated health professionals under the RHPA.

Timeline: It is anticipated that this provision would come into effect on January 1, 2020.

2. Time in Which Funding May be Provided

The ministry is proposing to prescribe 10 years as the period of time during which funding may be provided for a person in respect of a case of sexual abuse or a prohibited act involving child pornography.

Research shows that childhood sexual abuse results in broad-ranging short and long-term negative impacts on individuals. Allowing funding to support therapy and counselling for up to 10 years would help respond to the needs of those individuals who allege sexual abuse or a prohibited act involving child pornography by a member of the College.

Timeline: It is anticipated that this provision would come into effect on January 1, 2020.

3. Additional Purposes for Which Funding May be Provided

The ministry is proposing to prescribe the following as additional purposes for which funding may be provided under the new funding program:

- Therapy/counselling for a parent or legal guardian of a child who has made an allegation against a member of the College of sexual abuse or a prohibited act involving child pornography.

- Transportation to and from therapy/counselling.
- Child care that is necessary to allow the child who has made the allegations or his or her parent/guardian to attend therapy/counselling.
- Translation/translator services in relation to the receipt of therapy/counselling.
- Medication prescribed by a health professional to help address symptoms connected to the alleged case of sexual abuse or child pornography, to the extent that the costs are not covered by public drug programs or a private insurer.

Parents and legal guardians of children who have made allegations of sexual abuse or child pornography may need to be included and supported throughout the child's therapy/counselling journey. Allowing for funding to be provided for parents and legal guardians to receive therapy/counselling would allow these parents/guardians to access the supports they need.

Allowing for funding to be provided for transportation, child care, and translation/translator services would help to minimize barriers that individuals may face when attempting to access therapy/counselling. Allowing for funding to be provided for medication allows individuals to access supports to help address the symptoms connected to the alleged case of sexual abuse or child pornography.

Timeline: It is anticipated that this provision would come into effect on January 1, 2020.

4. Additional Persons to Whom Funding May Be Paid

Currently, the ECEA provides that funding under the new program may be paid only to a therapist or counsellor. The ministry is proposing to prescribe other persons to whom funding may be paid for the additional purposes described in the section above (section 3). These include:

- Any person providing a service set out in the regulations as an "additional purpose"; and
- The individual who has made the allegation against a member of the College, or, where the individual is a child, the parent/guardian.

This would support access to services necessary for participation in therapy/counselling.

Timeline: It is anticipated that this provision would come into effect on January 1, 2020.

5. Clarifying Funding May be Provided for the Services of Indigenous Elders and healers

In recognition of the diverse needs and cultures of Ontario's Indigenous peoples, provisions in the new regulation guiding the College's funding program for therapy and counselling would set out, for greater certainty, that funding under the program for therapy and counselling includes funding for therapy and counselling provided by Indigenous Elders and healers.

Conclusion

Once approved and filed, these proposed regulations under the ECEA would provide that individuals who have made allegations of sexual abuse or child pornography against a member of the College are given access to the supports they need. Once new regulations have been filed, they will be available online on the [e-Laws website](#).

All interested parties are encouraged to provide feedback on these proposed regulations. The Ministry of Education values the unique and diverse perspectives of parents, families, educators, and other early childhood education partners.

Please provide the ministry with your comments no later than September 28, 2019.

You may send your response by e-mail to: CCGE_modernization@ontario.ca

Alternatively, you may wish to send your response by mail to:

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Thank you for taking the time to review this document and provide feedback. Please note that you will not receive a direct reply to your comments. A summary of feedback to the posting will be posted on the Ontario Regulatory Registry following the consultation process. Please continue to stay engaged with news about child care in Ontario by visiting [this website](#).