

Linking Licensing to Quality in Child Care

by E. Elaine Ferguson

This article contains excerpts from the publication, [Linking Licensing to Quality Child Care](#), (2006) by Ferguson, Flanagan Rochon, Jerchel and Lutes, CCCNS: Halifax, NS, the last publication of the Best Practices In Licensing Child Care in Canada Project (1998-2006). The project was funded by the Government of Canada's Social Development Partnerships Program. "The opinions and interpretations in this publication are those of the author and do not necessarily reflect those of the Government of Canada."

The *Best Practices in Licensing Project* of Child Care Connection Nova Scotia and the Provincial/Territorial Directors of Early Childhood Education and Care examined the licensing process itself and, through extensive consultation and review of current research, considered how that process could be improved. Specifically, the project examined the roles of both licensers and licensees, and studied how these roles could be supported to make the licensing process more efficient and effective. Evolving policy contexts related to young children and intergovernmental initiatives related to early learning and child care influenced those involved in the project. Increasingly, the framework was broadened to consider the federal, provincial and territorial governments' stated goal of increasing good outcomes for children.

The years 2000-2005 saw the federal, provincial, and territorial governments reach consensus that the early years of life are critical to children's development and future well-being. These same governments also recognized that quality early learning and child care programs play an important role in promoting the social, emotional, physical and cognitive development of young children, and agreed to work together to improve access to such programs. They set forth objectives to promote early childhood development so that children would, to their fullest potential, be physically and emotionally healthy, safe and secure, socially engaged and responsible, and ready to learn upon school entry. In 2005, bilateral agreements/agreements-in-principle between provinces and the Government of Canada further outlined principles for the development of early learning and child care, including:

- **Quality:** Regulated to keep children safe and ensure they are cared for by professionally qualified child development staff
- **Universally inclusive:** open to the whole range of children regardless of their family's income, children's ability, culture etc.
- **Accessible:** Early Learning and Child Care programs are broadly available to children, and the cost is affordable for parents.
- **Developmental:** programs include both care and development (learning) components.

In recognizing that quality early learning and child care experiences contribute to healthy child development provincial and territorial governments have taken on a variety of roles that extend beyond ensuring that children in licensed early learning and child care programs are kept safe from harm. Placing the licensing process within this broader policy framework of healthy outcomes for children has expanded the role of licensing beyond keeping children safe to a shared responsibility to enrich programs for children.

The Quality Continuum

The conceptual approach of the project links licensing and quality based on the idea that the role of the licenser in the licensing process is related to the quality of the practice in the program being licensed. In this context, quality is defined as the effect of the program's practice on the children in the program.

Licensing is a complex process, and includes the roles of investigation, regulation, and enhancement. At times, one or more roles may take precedence depending on the quality of the practice being observed. This is represented by a *Quality Continuum*. Think about the continuum as a line with low quality practices at the left end of the line and high quality practices at the right end of the line. In the middle, practices meet regulations. For example, when the quality of the practice is poor, the left end of the line, children are at risk and the licenser takes an *investigative role* to determine the degree of risk, what has to change in order to eliminate the risk, and whether or not the program has the resources or will to make the necessary changes. When the quality of the practice is high, the right end of the line, good outcomes for children are increased and the licenser takes an *enhancement role*, providing collaboration, facilitation, consultation and support to the program. When the quality of the practice meets regulatory standards, and operates within full compliance, the middle of the line, children are safe, and the licenser takes a *regulatory role*, monitoring and inspecting to ensure that children remain safe. It is important to note that all or part of the range of the *Quality Continuum* could be present in a

take place together when the licenser supports the licensee in keeping children safe and improving good outcomes for the children.

*Licensing is... "the community's consensus on those acceptable minimum standards of care critical to the protection of children... set as high as the public will tolerate."*¹

The center point on the *Quality Continuum* is the point at which society considers children to be safe and the licensing process recognizes compliance with regulations and issues a license. Regulations, the set of standards which define this center point, can be thought of as "the floor of quality" in a given jurisdiction. There are, of course, jurisdictional differences and various factors such as emerging research, social policy and changing professional standards that can affect this definition. For example, in most provinces and territories, training requirements for child care program staff have changed over the years, including the number of trained staff required in order to be licensed and what type or types of training are recognized. Similarly, child/staff ratios vary from one jurisdiction to another. What is acceptable practice in one province or territory may be considered to be in violation of regulations in another. The quality of the "floor" is therefore affected by an ever-changing perception of "risk and hazard".

Regulations not only draw the line where risk becomes hazard, they reflect the community's expectations of child care programs and providers. The collective activities of all partners involved in the delivery of child care have the effect of moving community expectations along the *Quality Continuum* and gradually elevating the minimum standards, or "floor of quality", at which children are considered safe.

Using the same conceptual approach and *Quality Continuum*, licensers bear some responsibility for enhancement, in addition to investigation, monitoring and inspection. Within the framework, the Licenser's role requires that they have appropriate training and skills, resources and supports. This necessitates that licensers would be Early Childhood Education specialists, as this specialization is necessary for them to accurately assess where a program's practice lies on the *Quality Continuum*.

Quality is a Shared Responsibility

Quality in child care is a shared responsibility. Child care programs and providers, licensers, post secondary institutions, child care organizations and parents all have important roles to play. Figure 1: *Quality Continuum Framework* identifies roles of players within a licensing.

framework that supports good outcomes for children. While parents are not specifically mentioned in the framework, their role in elevating the "floor of quality" cannot be understated. As informed consumers of early learning and child care services, parents have the ability to choose the providers they feel deliver the best possible experiences for their children and to reject those they feel are lacking. They often also have the ability to change the practices in place at the program in which their children are enrolled through discussions with management, involvement as a volunteer advisory board member, through collective action in conjunction with other parents, or in the case of serious issues, through direct communication with government regulators or the media. Parents are also often involved in fundraising drives to enhance child care facilities that they feel require capital improvements.

While licensing and collateral regulations (health, zoning, building & safety codes etc) represent the floor of quality where children are safe, there are other regulatory methods such as accreditation and centre-based support that build on that quality foundation"² [to encourage programs to move along the quality continuum to increase good outcomes for children]³

Licensing brings greater value to child care programs when it is part of a framework of shared responsibility that involves a variety of stakeholders. Across Canada, provinces and territories have introduced new initiatives that emphasize quality, reflect collaborative partnerships with child care programs and providers, and demonstrate how policy is translated into practice. Examples of government-sector partnerships are accreditation in Alberta; onsite consultation models in Atlantic Canada (Nova Scotia's Partnerships for Inclusion; New Brunswick's Opening the Door to Quality Childcare and Development; Newfoundland & Labrador's Enhancing Quality and Inclusive Practices (EQUIP) and Prince Edward Island's Measuring and Improving Kids' Environments (MIKE); and retention, recruitment and recapturing initiatives.

Public policy statements focused on good outcomes for children position "quality" as being within the sphere of government responsibility.

This framework situates government on the Quality Continuum, and describes how government’s regulatory processes contribute to quality. While the role of government in early learning and child care has progressed beyond a purely regulatory function that keeps children “safe from harm”, it must be acknowledged that there is a shared responsibility for child care quality that also involves early childhood educators, child care programs and providers, parents, child care organizations, and training institutions. The *Best Practices in Licensing Child Care in Canada* project has identified and described the current roles these important stakeholders can play, so that a deeper collective understanding of the licensing function can be achieved. This collective understanding is essential to achieving our shared goal of increasing good outcomes for children.

Figure 1: Quality Continuum Framework

	Quality Continuum		
Facility/ Program’s practice	Low Quality practices. Children are at risk	Practices meet Regulations. Children are safe	High Quality practices. Good outcomes for children are increased
Role of licensing	Enforcement Role		Enhancement Role
	Investigate	Regulate/Inspect	Enhance
Purpose of Licensing	To assess non-compliance/compliance in relation to licensing standards/regulations.		To increase good outcomes for children
	To eliminate hazard	To ensure compliance	
Activities	Complaint Investigation	<i>The process of Licensing:</i> Inquiry Application Investigation Decision regarding to license/not license Monitoring Renewal of license	Collaboration Facilitation Consultation Support
Role of Licensing Professionals	Licensing Professionals Job Description and Competency Profile		
Training Standards for Licensing Professionals	Complaint Investigation	Regulations & Standards	Facilitation, Leadership & Teambuilding
	Principals of Adult Development	Application of Ethics	Observation & Assessment
	Communications	Early Childhood Education and Care	
Role of CC Sector		Meet regulations	Best practices
CC practitioner standards		Occupational Standards Outcome based developmentally appropriate core curriculum	Standards of Practice
Vehicles & structures to sanction standards		Certification of training as per licensing regulation	Certification of practice as per sector’s standards of practice. Accreditation of child care programs
Role of Post Secondary ECCE programs		Pre-service ECCE training ECCE continuing education ECCE professional development	
Standards for Post Secondary ECCE programs		Training guidelines Accreditation of post secondary ECCE programs	

REFERENCES:

¹ Koch, P., (1998) The Role of Licensing in Child Care: Licensing as an Element of Quality, unpublished paper, November 1998, St Paul: NARA

² NAEYC. NAEYC Position Statement: Licensing and Public Regulation of Early Childhood Programs, Washington: NAEYC, 1997.

³ Ferguson, E., Flanagan, Rochon, K., Jerchel, L., and Lutes, D., (2003) The Role of Licensing Within a Framework that Supports Good Outcomes for Children: Licensing Professional's Responsibilities, Halifax, NS: Child Care Connections.

E. Elaine Ferguson is Executive Director of Child Care Connection Nova Scotia. Since 1998 she has worked with the Provincial/Territorial Directors of Early Childhood Education and Care as principle investigator of the Best Practices in Licensing in Canadian Child Care Project

CONNECTIONS RESOURCE LIBRARY

The Resource Library holdings are posted on our web site, www.cccns.org/resources.html

Centre for Career Development in Early Care & Education (1993). *Licensing: Guidelines to the Action Pack*. Boston: Centre for Career Development in Early Care & Education. CCCNS No. A-153-CCDECE.

Child Care Connection-NS (2005) *Info Sheet: Licensing and Child Care Facilities - Partners in Increasing Good Outcomes for Children*. Halifax, NS: Child Care Connection-NS. CCCNS No. A-131-CCCNS/PDF.

Doherty, G. (2001) "Regulations as a Strategy for Promoting Quality in Child Care Settings", found in *Research Connections Canada: Supporting Children and Families*, Vol. 6. CCCNS No. A-131-Doh.

Ferguson, Rochon, Hautmann, Lutes, Masson & Mauch. (2000). *Toward a Best Practices Framework for Licensing Child Care Facilities in Canada*. Halifax, NS: Child Care Connections. CCCNS No. A-131-Fer.

Ferguson, Rochon, Hautmann, Lutes, Masson & Mauch. (2003) *A Best Practices Approach to Regulated Child Care Within a Framework that Supports Good Outcomes for Children*. Halifax, NS: Child Care Connections. CCCNS No. A-131-Fer/03.

Howes, C. & Marx, E. (1992) "Raising Questions About Improving the Quality of Child Care in the United States and France," *Early Childhood Research Quarterly*, 7(3). CCCNS No. A-131-How/ECRQ.

McLean, C. (1995) *Regulations, Standards and Enforcement*, a background paper written as part of a brief to the Standing Committee on Human Resources Development Canada, Dec., 1994. CCCNS No. A-131-McL.

National Association of Regulatory Administration (1988) *A Licensing Curriculum, First Edition*. St. Paul, Minn: National Association of Regulatory Administration. CCCNS No. A-131-NARA.

Saskatchewan Social Services (2002) *Saskatchewan Child Day Care Branch Licensee's Manual*. Regina, Sask.: Saskatchewan Social Services. CCNS No. A-130-Sask/02.

Sigovich, D. (1994) "A Positive Regulating of Family Child Care Providers," *Young Children*, 49(5): 80-81. CCCNS No. A-131-Sig/YC.

Terpstra, J. (1988) *Day Care Standards and Licensing*. Washington, D.C.: Child Welfare League of America. CCCNS No. A-131-Ter.

Terpstra, J. (1988) *Historical Overview of Licensing Issues*. Unpublished paper. CCCNS No. A-131-Ter.

**Connections Journal 10.2
October 2006**

Connections is the mini journal of Child Care Connection Nova Scotia, published three times each year. The publishers neither endorse nor oppose opinions expressed in this publication and the **Celebration** newsletter, and do not vouch for any claims in published advertisements. We reserve the right to refuse ads or submissions that are contrary to the aims and objectives of Child Care Connection Nova Scotia. Contributions from writers should be discussed with the publications editor prior to submission, a style sheet is available. Advertising rates are available on request. Advertising space may be limited to allow priority to editorial content. Child Care Connection Nova Scotia reserves the right to refuse advertisements.

ISSN:0843-6304

Mailed under Canada Post
Publications Mail Sales Agreement #
40052845

Editor: E. Elaine Ferguson
Child Care Connections
100-1200 Tower Road,
Halifax, NS B3H 4K6
(902) 423-8199
1-800-565-8199 (Atlantic)
(902) 492-8106 (fax)
cccns@istar.ca
www.cccns.org

This edition of CONNECTIONS is sponsored by ~



Imagine... success for every child!

Scholar's Choice Moyer is committed to supporting educators and parents in the education of all children. Our goal is to help you make sure children get the most out of their education by providing over 15,000 educational toys, games and materials. Making us Canada's solution for parents and teachers. Scholar's Choice Moyer...your partner in learning. Visit our Website at www.scholarschoice.ca or Call us toll free 1-800-249-8888

