

LEGISLATIVE ASSEMBLY OF THE  
NORTHWEST TERRITORIES  
10<sup>TH</sup> ASSEMBLY, 9<sup>TH</sup> SESSION

TABLED DOCUMENT NO. 63-87(1)

TABLED ON MAY 28, 1987

MAY 28 1987

CHILD DAY CARE ACT

The Commissioner of the Northwest Territories, pursuant to subsection 39(1) of the Child Day Care Act, and every enabling power, orders that the Child Day Care Standards Regulations are made and established:

"SHORT TITLE

1. These regulations may be cited as the Child Day Care Standards Regulations.

INTERPRETATION

2. In these regulations,

"day care" means the care, instruction and supervision of a child provided within a facility that is not the home of the child;

"designate" means a person or persons appointed pursuant to section 22 of the Act;

"family home day care" means day care provided within the operator's private residence for any child of less than twelve years of age;

"full-time day care" means day care provided for any child of less than twelve years of age for a period of five consecutive hours per day or more;

"health authority" means any person authorized by the Minister of Health to enforce the Public Health Act and regulations made pursuant to that Act;

"nursery school day care" means day care provided for any child of less than six years of age for a period of four consecutive hours per day or less;

"out-of-school day care" means day care provided following completion of the daily school program for any child of less than twelve years of age who is in regular attendance at a school operated pursuant to the Education Act.

## LICENCES

3.(1) An application for a licence must be submitted to:

Director  
Department of Social Services  
Government of the Northwest Territories  
Yellowknife, N.W.T.  
X1A 2L9

- (2) An applicant for a licence is not required to pay a fee.
- (3) An application for a licence must
- (a) identify the class or classes of child day care to be provided by the child day care facility;
  - (b) identify a contact person for the purpose of communication between the Director and the applicant; and
  - (c) include
    - (i) a written statement of the program goals and objectives;
    - (ii) a copy of the floor plan of the child day care facility showing room dimensions and the location of fixed equipment;
    - (iii) a report from the office of the fire marshal regarding compliance with the National Fire Code (Canada);
    - (iv) a report from the health authority regarding compliance with the Public Health Act;
    - (v) where a change or improvement is recommended or required in a report under subparagraph (iii) or (iv), written confirmation from the applicant that the recommendation or requirement has been met;
    - (vi) evidence of compliance with appropriate zoning by-laws;
    - (vii) evidence of a minimum of \$1,000,000 public liability insurance coverage;
    - (viii) an emergency evacuation plan; and
    - (ix) written provision for parental involvement pursuant to section 49.
- (4) The classes of child day care that may be provided by a child day care facility are as follows:
- (a) full-time day care;
  - (b) nursery school day care;
  - (c) out-of-school day care; and
  - (d) family home day care.
- (5) A licence may be issued for one or more classes of child day care.

- (6) A licence is valid
  - (a) in the case of a licence issued subject to terms or conditions, until the expiry of the time stated on the licence for compliance with such terms or conditions;
  - (b) in the case of a licence issued subject to an order of the Minister exempting the operator from compliance with provisions of the Act or these regulations, for a period of three years; and
  - (c) in any other case, for an indefinite period of time, unless suspended or revoked.
  
- 4. The registry established pursuant to section 7 of the Act must include
  - (a) the name of the operator, where the operator is an individual person, or the names of the principals or individual members of the board of directors, where the operator is an association or a corporation;
  - (b) the name and address of a contact person identified by the operator for the purposes of communication between the Director and the operator;
  - (c) a copy of every licence, together with any terms or conditions imposed on a licence and any order of the Minister exempting an operator from compliance with provisions of the Act or regulations;
  - (d) a copy of every notice of suspension or revocation of a licence made pursuant to the Act and these regulations; and
  - (e) the record of any appeal made with respect to the issuing, suspension or revocation of a licence pursuant to the Act or these regulations.

#### APPEALS

- 5.(1) An appeal heard pursuant to section 21 of the Act must, wherever possible, be held in the community in which the child day care facility is, or is intended to be, located.
  
- (2) A designate must, wherever possible, be appointed from the community in which the child day care facility is, or is intended to be, located.
  
- 6. A designate
  - (a) shall conduct the appeal in the manner that the designate considers most appropriate for the prompt resolution of the appeal; and
  - (b) may exercise the same power as a justice with respect to compelling the attendance of witnesses, examining witnesses under oath, and compelling the production and inspection of books, papers, documents and things.

7. Where notice of an appeal has been given pursuant to paragraph 23(1)(a) of the Act, and the appellant fails to appear, a designate may hear the appeal in the appellant's absence.

8.(1) An appeal heard pursuant to the Act is open to the public.

(2) A designate may exclude the public from an appeal hearing or a portion of an appeal hearing where

- (a) the appellant has requested that the public be excluded; and
- (b) in the opinion of the designate, such an exclusion is in the general public interest.

(3) Where a designate is satisfied that a person has a substantial and direct interest in an appeal, the designate shall allow the person to give evidence relevant to his interest.

#### DUTY OF OPERATOR

9. Every operator shall ensure that a child day care facility operated by him complies with the requirements and standards established by these regulations.

10. Every operator shall comply with

- (a) the Hazardous Products Act (Canada);
- (b) the Narcotic Control Act (Canada);
- (c) the National Building Code (Canada);
- (d) the National Fire Code (Canada);
- (e) the firearms provisions of the Criminal Code (Canada);
- (f) the Child Welfare Act; and
- (g) the Public Health Act.

#### ADMINISTRATION

11.(1) Every operator shall maintain on file for each child attending the child day care facility an application for enrolment signed by the parent or guardian of the child.

(2) The application referred to in subsection (1) must include

- (a) the child's name, address and birth date;
- (b) the names, locations and telephone numbers of the child's parents or guardian, or a person named by the parents or guardian who may be contacted in the case of an emergency;
- (c) the name of individuals to whom the child may be released;
- (d) the name of the child's physician;
- (e) the child's health card number;
- (f) a record of any medical, physical, developmental or emotional condition relevant to the care of the child;
- (g) a waiver signed by the child's parent or guardian allowing the operator to obtain medical treatment for the child in the case of an emergency, accident or illness; and
- (h) written permission from the child's parent or guardian allowing the child to be taken on excursions by staff.

(3) Every operator shall keep a record showing

- (a) the date of admission of the child to the facility,
  - (b) the date of discharge of the child from the facility,
  - (c) the daily attendance record of the child, and
  - (d) the health record of the child as updated annually with or by the parent or guardian of the child
- for each child attending the child day care facility.

(4) Every operator shall keep information concerning a child or the child's family confidential, except

- (a) the child's parents or guardian shall have access to such information; and
- (b) the Director may inspect the application referred to in subsection (2) and the record referred to in subsection (3) upon request.

12. Every operator shall post a copy of the Act and these regulations in a conspicuous location within the child day care facility.

13.(1) Every operator shall maintain complete and accurate financial records of the child day care facility in accordance with generally accepted accounting practices.

(2) Where an operator receives financial assistance, including a day care subsidy, from the Government of the Northwest Territories, the Director may inspect the records referred to in subsection (1).

PHYSICAL REQUIREMENTS FOR CHILD  
DAY CARE FACILITY

Interior

14. Every room that is used as a part of a child day care facility must be dry, ventilated, lighted, sanitary, heated, in good repair and suitable for the care of children.

15.(1) Every child day care facility, other than a family home day care facility, must have a minimum of 2.75 square metres of free and usable indoor floor area per child, based on the maximum number of children regularly attending the facility for child day care purposes.

(2) The operator of a family home day care facility shall provide indoor play space suitable to the number, ages and development of the children attending the facility.

16.(1) A door that can be locked without the use of a key must not be used in an area accessible to children, unless the door can be unlocked from either side.

(2) No room or space that is  
(a) accessible only by a ladder or folding stairs or through a trap door, or  
(b) more than one storey below ground level  
is to be used for a child day care facility.

(3) No room that is more than two stories above ground level is to be used as a sleeping area for children unless the room has been specifically approved for that use by the fire marshal and the health authority.

17.(1) When a child is sleeping in a sleeping area within a child day care facility, the sleeping area must not be used for meals or play activities.

(2) Where a sleeping area is provided within a child day care facility, the sleeping area for children under the age of eighteen months must be sufficiently separate from older children to ensure quiet sleeping accommodation.

18.(1) Individual lockers, cubbyholes or hooks that are  
(a) easily accessible to children,  
(b) in a lighted area, and  
(c) arranged so that each child's personal belongings can  
be kept separate from those of other children,  
must be provided for each child.

(2) Cupboards and other storage space that is easily accessible to children must be provided for indoor and outdoor play materials, equipment, clothing and supplies.

MAY 28 1987

## CHILD DAY CARE ACT

The Commissioner of the Northwest Territories, pursuant to subsection 39(1) of the Child Day Care Act, and every enabling power, orders that the Child Day Care Standards Regulations are made and established:

### "SHORT TITLE

1. These regulations may be cited as the Child Day Care Standards Regulations.

### INTERPRETATION

2. In these regulations,

"day care" means the care, instruction and supervision of a child provided within a facility that is not the home of the child;

"designate" means a person or persons appointed pursuant to section 22 of the Act;

"family home day care" means day care provided within the operator's private residence for any child of less than twelve years of age;

"full-time day care" means day care provided for any child of less than twelve years of age for a period of five consecutive hours per day or more;

"health authority" means any person authorized by the Minister of Health to enforce the Public Health Act and regulations made pursuant to that Act;

"nursery school day care" means day care provided for any child of less than six years of age for a period of four consecutive hours per day or less;

"out-of-school day care" means day care provided following completion of the daily school program for any child of less than twelve years of age who is in regular attendance at a school operated pursuant to the Education Act.



## LICENCES

3.(1) An application for a licence must be submitted to:

Director  
Department of Social Services  
Government of the Northwest Territories  
Yellowknife, N.W.T.  
XIA 2L9

(2) An applicant for a licence is not required to pay a fee.

(3) An application for a licence must

- (a) identify the class or classes of child day care to be provided by the child day care facility;
- (b) identify a contact person for the purpose of communication between the Director and the applicant; and
- (c) include
  - (i) a written statement of the program goals and objectives;
  - (ii) a copy of the floor plan of the child day care facility showing room dimensions and the location of fixed equipment;
  - (iii) a report from the office of the fire marshal regarding compliance with the National Fire Code (Canada);
  - (iv) a report from the health authority regarding compliance with the Public Health Act;
  - (v) where a change or improvement is recommended or required in a report under subparagraph (iii) or (iv), written confirmation from the applicant that the recommendation or requirement has been met;
  - (vi) evidence of compliance with appropriate zoning by-laws;
  - (vii) evidence of a minimum of \$1,000,000 public liability insurance coverage;
  - (viii) an emergency evacuation plan; and
  - (ix) written provision for parental involvement pursuant to section 49.

(4) The classes of child day care that may be provided by a child day care facility are as follows:

- (a) full-time day care;
- (b) nursery school day care;
- (c) out-of-school day care; and
- (d) family home day care.

(5) A licence may be issued for one or more classes of child day care.

- (6) A licence is valid
  - (a) in the case of a licence issued subject to terms or conditions, until the expiry of the time stated on the licence for compliance with such terms or conditions;
  - (b) in the case of a licence issued subject to an order of the Minister exempting the operator from compliance with provisions of the Act or these regulations, for a period of three years; and
  - (c) in any other case, for an indefinite period of time, unless suspended or revoked.
4. The registry established pursuant to section 7 of the Act must include
  - (a) the name of the operator, where the operator is an individual person, or the names of the principals or individual members of the board of directors, where the operator is an association or a corporation;
  - (b) the name and address of a contact person identified by the operator for the purposes of communication between the Director and the operator;
  - (c) a copy of every licence, together with any terms or conditions imposed on a licence and any order of the Minister exempting an operator from compliance with provisions of the Act or regulations;
  - (d) a copy of every notice of suspension or revocation of a licence made pursuant to the Act and these regulations; and
  - (e) the record of any appeal made with respect to the issuing, suspension or revocation of a licence pursuant to the Act or these regulations.

#### APPEALS

- 5.(1) An appeal heard pursuant to section 21 of the Act must, wherever possible, be held in the community in which the child day care facility is, or is intended to be, located.
  - (2) A designate must, wherever possible, be appointed from the community in which the child day care facility is, or is intended to be, located.
6. A designate
  - (a) shall conduct the appeal in the manner that the designate considers most appropriate for the prompt resolution of the appeal; and
  - (b) may exercise the same power as a justice with respect to compelling the attendance of witnesses, examining witnesses under oath, and compelling the production and inspection of books, papers, documents and things.

7. Where notice of an appeal has been given pursuant to paragraph 23(1)(a) of the Act, and the appellant fails to appear, a designate may hear the appeal in the appellant's absence.

8.(1) An appeal heard pursuant to the Act is open to the public.

(2) A designate may exclude the public from an appeal hearing or a portion of an appeal hearing where

- (a) the appellant has requested that the public be excluded; and
- (b) in the opinion of the designate, such an exclusion is in the general public interest.

(3) Where a designate is satisfied that a person has a substantial and direct interest in an appeal, the designate shall allow the person to give evidence relevant to his interest.

#### DUTY OF OPERATOR

9. Every operator shall ensure that a child day care facility operated by him complies with the requirements and standards established by these regulations.

10. Every operator shall comply with

- (a) the Hazardous Products Act (Canada);
- (b) the Narcotic Control Act (Canada);
- (c) the National Building Code (Canada);
- (d) the National Fire Code (Canada);
- (e) the firearms provisions of the Criminal Code (Canada);
- (f) the Child Welfare Act; and
- (g) the Public Health Act.

#### ADMINISTRATION

11.(1) Every operator shall maintain on file for each child attending the child day care facility an application for enrolment signed by the parent or guardian of the child.

(2) The application referred to in subsection (1) must include

- (a) the child's name, address and birth date;
- (b) the names, locations and telephone numbers of the child's parents or guardian, or a person named by the parents or guardian who may be contacted in the case of an emergency;
- (c) the name of individuals to whom the child may be released;
- (d) the name of the child's physician;
- (e) the child's health card number;
- (f) a record of any medical, physical, developmental or emotional condition relevant to the care of the child;
- (g) a waiver signed by the child's parent or guardian allowing the operator to obtain medical treatment for the child in the case of an emergency, accident or illness; and
- (h) written permission from the child's parent or guardian allowing the child to be taken on excursions by staff.

(3) Every operator shall keep a record showing

- (a) the date of admission of the child to the facility,
  - (b) the date of discharge of the child from the facility,
  - (c) the daily attendance record of the child, and
  - (d) the health record of the child as updated annually with or by the parent or guardian of the child
- for each child attending the child day care facility.

(4) Every operator shall keep information concerning a child or the child's family confidential, except

- (a) the child's parents or guardian shall have access to such information; and
- (b) the Director may inspect the application referred to in subsection (2) and the record referred to in subsection (3) upon request.

12. Every operator shall post a copy of the Act and these regulations in a conspicuous location within the child day care facility.

13.(1) Every operator shall maintain complete and accurate financial records of the child day care facility in accordance with generally accepted accounting practices.

(2) Where an operator receives financial assistance, including a day care subsidy, from the Government of the Northwest Territories, the Director may inspect the records referred to in subsection (1).

PHYSICAL REQUIREMENTS FOR CHILD  
DAY CARE FACILITY

Interior

14. Every room that is used as a part of a child day care facility must be dry, ventilated, lighted, sanitary, heated, in good repair and suitable for the care of children.

15.(1) Every child day care facility, other than a family home day care facility, must have a minimum of 2.75 square metres of free and usable indoor floor area per child, based on the maximum number of children regularly attending the facility for child day care purposes.

(2) The operator of a family home day care facility shall provide indoor play space suitable to the number, ages and development of the children attending the facility.

16.(1) A door that can be locked without the use of a key must not be used in an area accessible to children, unless the door can be unlocked from either side.

(2) No room or space that is  
(a) accessible only by a ladder or folding stairs or through a trap door, or  
(b) more than one storey below ground level  
is to be used for a child day care facility.

(3) No room that is more than two stories above ground level is to be used as a sleeping area for children unless the room has been specifically approved for that use by the fire marshal and the health authority.

17.(1) When a child is sleeping in a sleeping area within a child day care facility, the sleeping area must not be used for meals or play activities.

(2) Where a sleeping area is provided within a child day care facility, the sleeping area for children under the age of eighteen months must be sufficiently separate from older children to ensure quiet sleeping accommodation.

18.(1) Individual lockers, cubbyholes or hooks that are  
(a) easily accessible to children,  
(b) in a lighted area, and  
(c) arranged so that each child's personal belongings can be kept separate from those of other children,  
must be provided for each child.

(2) Cupboards and other storage space that is easily accessible to children must be provided for indoor and outdoor play materials, equipment, clothing and supplies.

19. An animal must not be kept in a child day care facility except
- (a) in accordance with written guidelines from the health authority; and
  - (b) in an area specifically set aside for the animal.

#### Furnishings and Equipment

- 20.(1) Furnishings and equipment provided for children attending a child day care facility must be
- (a) in good repair and free from sharp, loose or pointed parts;
  - (b) consistent with the developmental capabilities of children; and
  - (c) available in sufficient quantity and variety to occupy all the children.
- (2) Sufficient tables and chairs of a suitable size must be provided.
- (3) A high chair or an infant seat with safety harness must be provided for each child in attendance who is not able to sit independently on a chair.
- (4) A cot, bed or sleeping mat must be provided for each child who sleeps at a child day care facility.
- (5) The cot, bed or sleeping mat referred to in subsection (4) must meet the requirements of the fire marshal and be covered with moisture resistant washable material.
- (6) A clean, dry covering must be provided for each child who is sleeping or resting.

#### Exterior

- 21.(1) Every operator shall provide safe outdoor play space.
- (2) Where the outdoor play space is not adjacent to the child day care facility, the operator shall
- (a) provide safe access to the space; and
  - (b) ensure that the space is within walking distance of the facility.
- (3) Where the outdoor play space is adjacent to the child day care facility, the operator shall ensure that the space is fenced if the surrounding environment is potentially hazardous to children.

#### DAILY PROGRAM

22. Every operator shall establish a daily program for children attending the child day care facility that
- (a) facilitates and stimulates the intellectual, physical, emotional and social development of the children;
  - (b) is appropriate to the developmental level of the children;
  - (c) as much as possible, includes activities to encourage language development; and
  - (d) as much as possible, reflects the cultural and ethnic backgrounds of the children.
23. Every operator shall provide daily outdoor play activities for each child unless
- (a) outdoor play is prohibited by the child's parent, guardian or family physician; or
  - (b) the weather is inclement.
24. Every operator shall post a schedule of programs and activities in a conspicuous place in the child day care facility.
25. Where a child with special needs attends a child day care facility, the operator shall ensure that the child is integrated into the daily program.
26. An operator may use local community services to enhance the quality of programs and services in the child day care facility.

#### DISCIPLINE

- 27.(1) An operator shall ensure that no child, while attending the child day care facility,
- (a) is subjected to any form of physical punishment or verbal or emotional abuse, or
  - (b) is denied any physical necessity,
- by a staff person, another child, or the parents or guardian of the child while the parents or guardian are at the facility.
- (2) Every operator shall develop, post and circulate to staff and to parents or guardians of children attending the child day care facility a written discipline policy.
- (3) Every operator who wishes to establish a room for the isolation of children for discipline shall first apply to the Director for written approval.

## NUTRITIONAL STANDARDS

28.(1) Nutritious food from guidelines provided by a qualified nutritionist must be provided by the operator or by the child's parent or guardian, for each child attending the child day care facility.

(2) The food referred to in subsection (1) may include country food, where the operator has obtained from the area wildlife office a licence to serve country food.

29. A child under eighteen months of age must be  
(a) attended by an adult while eating; and  
(b) given only foods of low choking potential.

30. When a child attending a child day care facility is bottle fed, an adult must hold the bottle at all times during the feeding.

31. There must be no more than four hours between meals and snacks.

32.(1) Menus must be prepared and posted a week in advance in a conspicuous place in the child day care facility.

(2) Any changes to the menu for a meal must be posted before the meal is served.

33. Every operator shall comply with all health regulations and guidelines pertaining to food storage, handling and serving.

34.(1) Children in attendance must have ready access to a supply of drinking water approved by the health authority.

(2) Every operator shall maintain disposable or separate drinking cups in a manner acceptable to the health authority.

## HEALTH CARE

### Sanitary Standards

35. A child day care facility must have toilet and washing areas that are satisfactory, in the judgment of the health authority, for the maximum number of children permitted in the facility.

36.(1) The toilet and washing areas of a child day care facility must have an adequate supply of soap and hot and cold running water.

(2) Individual washcloths and towels that are kept separate or paper towels that provide each user with a clean, unused portion are to be provided.



37. Every operator providing care for children less than eighteen months of age shall provide bathing facilities for those children and ensure that each child is attended by a staff person at the time of bathing.

38.(1) Every operator shall provide a diapering area that meets the requirements of the health authority for all children who require diapering.

(2) Where a diapering area is provided in a child day care facility, procedures must be developed for its use according to guidelines established by the health authority.

39. Garbage and refuse must be

- (a) removed daily from the child day care facility to a storage area meeting with the approval of the health authority; and
- (b) removed weekly from the storage area to an area established for the disposal of community garbage and refuse.

#### Immunization, Disease and Illness

40. Every operator who agrees to administer patent or prescription medicine to a child shall

- (a) obtain prior written permission from the child's parent or guardian;
- (b) accept only medicine brought to the facility by the parent or guardian
  - (i) in the case of patent medicine, in the original container, or
  - (ii) in the case of prescription medicine, in a container supplied by a pharmacist;
- (c) designate one primary staff person on duty as having the responsibility of administering the medicine to the child;
- (d) ensure that the medicine is labelled with the child's name, expiry date, dosage, time and method of administration;
- (e) ensure that the medicine is stored in a location that is inaccessible to children;
- (f) keep written records of each dose, including the type of medicine, time of administration and amount of dose; and
- (g) require that the staff person who administers medicine sign the record referred to in paragraph (f).

41.(1) All children attending a child day care facility and all staff must have current proof of any immunization required by the health authority.

(2) Where an operator is aware that a child attending the child day care facility or a staff person has a communicable disease, the operator shall, as soon as possible,

(a) notify the health authority according to guidelines provided by the health authority; and

(b) in the case of a child, notify the parent, guardian or physician of the child.

(3) An operator shall not permit a child or a staff person suffering from a communicable disease or acute illness to attend the child day care facility during the period prescribed by the health authority.

(4) A child with a communicable disease who has been absent from the child day care facility must not be returned to the facility unless the health authority has issued a certificate stating that the child may be returned to the facility.

(5) Notwithstanding subsections (3) and (4), the operator of a family home day care facility may allow a child with a communicable disease to attend the facility if the operator and the parents or guardians of all other children attending the facility consent.

42. Where a child attending a child day care facility is ill, the operator shall

(a) ensure that the child receives medical assistance;

(b) notify the parent or guardian of the child; and

(c) provide supervised care in an area separate from other children until the parent or guardian takes the child home.

43. Any animal capable of transmitting rabies that is kept in a child day care facility must be vaccinated annually against rabies.

## HAZARDS AND EMERGENCIES

### Hazards

44.(1) Children must be protected from radiators, water pipes, electrical outlets and toxic plants.

(2) Medical supplies, poisonous substances and similar products must be stored in their original containers in a locked medical cabinet or room that is accessible only to staff.

(3) Knives, kitchen tools and cleaning supplies must be stored in an area that is inaccessible to children.

(4) Firearms must be kept in a locked cabinet, separate from ammunition.

45.(1) Smoking is prohibited in any area of a child day care facility, other than a family home day care facility, that is used by children.

(2) The staff of a family home day care facility are prohibited from smoking while preparing food or holding a child.

#### Emergency Equipment

46.(1) Smoke detectors and fire extinguishers must be located in a child day care facility in compliance with any building or fire code or by-law in force in the area in which the facility is located.

(2) Every operator shall provide  
(a) a telephone in working order, and  
(b) a first aid kit and manual that conform to guidelines provided by a first aid trainer or organization, on the premises of the child day care facility.

#### Emergency Procedures

47.(1) Every operator shall provide an emergency plan that includes

- (a) emergency evacuation and fire drill procedures;
- (b) arrangements for alternate emergency accommodation; and
- (c) arrangements for transportation to those accommodations.

(2) Every operator shall ensure that the emergency evacuation and fire drill procedures referred to in subsection (1) are practised once a month and that a written record of each practice is kept, indicating the date and time of the practice and the number of staff and children in attendance.

(3) If a child has an accident, the operator shall, as soon as possible,

- (a) ensure that the child receives medical assistance; and
- (b) notify the parent or guardian of the child.

48. Every operator shall ensure that the address and telephone numbers of

- (a) the parents or guardian of each child or the person named in accordance with paragraph 11(2)(b),
- (b) staff members and substitute staff,
- (c) the nearest nursing station or public health unit,
- (d) each child's physician,

- (e) the nearest hospital emergency and poison information centre,
  - (f) the ambulance and taxi service,
  - (g) the local fire department, and
  - (h) the nearest Royal Canadian Mounted Police station
- are readily available to all staff on duty in a child day care facility.

#### PARENTAL INVOLVEMENT

49.(1) An operator who is a non-profit organization controlled by a board of directors shall ensure, and confirm in writing to the Director, that a majority of the members of that board of directors are the parents or guardians of children attending the child day care facility.

(2) An operator who is an individual or who is providing a family home day care service shall establish, and confirm in writing to the Director, a means of involving the parents or guardians of children attending the child day care facility.

#### STAFF

##### Qualifications and Training

50. Every operator shall ensure that, as much as possible, the cultural and ethnic backgrounds of children attending the child day care facility are reflected in the cultural and ethnic backgrounds of staff.

51.(1) All primary staff shall be at least nineteen years of age.

(2) A person under the age of nineteen years may work as support staff under the supervision of a primary staff person.

52.(1) Every operator shall identify, in writing submitted to the Director, one primary staff person as

- (a) the contact person for communications between the child day care facility and the Director; and
- (b) the person in charge of the day-to-day operation of the facility.

(2) The operator shall immediately inform the Director, in writing, of any change to the person named pursuant to subsection (1).

53.(1) Every staff person must be competent to fulfil the functions described in his job description.

(2) Every staff person and a family home day care facility operator shall possess the ability to communicate with and be accepted by children of the age being cared for by that person or operator.

(3) Every primary staff person shall have an awareness of early childhood development theory and the ability to apply that theory to the operator's program.

(4) Every support staff person shall have an understanding of the basic aims of the operator's program.

54. Every operator shall encourage training of staff through appropriate courses or seminars, if available.

55. Every staff person employed in a child day care facility shall hold a certificate in

- (a) first aid; and
- (b) where available, CPR training.

56.(1) No permanent staff person shall be hired without a certificate of medical examination and immunization update.

(2) All casual and temporary staff and all volunteers shall be in good health while working or serving in any capacity in a child day care facility.

57.(1) Every operator shall

- (a) require from every successful applicant for employment a signed authorization granting the Director access to information about the applicant's criminal record and permitting the Director to convey that information to the operator; and
- (b) submit the authorization to the Director.

(2) Where information obtained by the Director pursuant to subsection (1) shows that the applicant has been convicted of an offence respecting a child, the Director shall

- (a) inform the operator of the offence; and
- (b) consult with the operator as to whether the applicant should be hired as a staff person for the child day care facility.

#### Supervision of Children

58. Every operator shall ensure that no child attending a child day care facility is left without staff supervision.

59.(1) Every operator shall provide for the following minimums and maximums:

<u>Age of Child</u>	<u>Minimum Staff to Child Ratio</u>	<u>Maximum Group Size</u>	<u>Maximum Children in a Room</u>
0 - 18 months	1:3	6	9
19 - 35 months	1:6	12	18
36 months - 5 years	1:8	16	25
6 - 12 years	1:10	20	30

(2) The maximum group sizes and the maximum number of children allowed in a room referred to in subsection (1) do not apply when children are having meals, taking naps, or taking part in special activities.

(3) Volunteers may be included in the minimum staff to child ratio referred to in subsection (1) upon approval of the Director.

60.(1) In addition to the requirements established in section 59, every operator shall ensure that at least two staff persons are on duty when more than six children are present at a child day care facility.

(2) One of the two staff persons referred to in subsection (1) must have no responsibilities other than care of the children attending the facility.

61.(1) Notwithstanding sections 59 and 60, a family home day care facility operator may provide child day care services to a maximum of eight children under twelve years of age, including the operator's own children, where

- (a) not more than six children, including the operator's own children, are children five years of age or under;
- (b) not more than three children, including the operator's own children, are children under three years of age; and
- (c) not more than two, including the operator's own children, are children under two years of age.

(2) Every operator of a family home day care facility shall ensure that children attending the facility are supervised at all times by

- (a) the operator; or
- (b) for short periods of time or in the case of an emergency, by a substitute who has been approved by the Director."

Dated at Yellowknife this .... day of ....., 1987.

John H. Parker,  
Commissioner of the  
Northwest Territories.