



**Saskatchewan First Nations  
Early Learning and Child Care  
Policies and Procedures  
(May 2013)**

## Part I - Development of Licensing and Monitoring for Children's Programs

**Vision: Children are a gift from the Creator. The Creator placed children in families. Childcare services for our children must be guided by the wisdom of the generations, by the values and beliefs of our people. In the future we see All First Nations children in Saskatchewan being nurtured toward their physical, spiritual, mental, and emotional potential within the framework of loving and supportive families and safe communities.**

"On January 26, 1995, the Honourable Lloyd Axworthy, Minister responsible for Human Resources Development Canada, and Honourable Ethel Blondin Andrew, Secretary of State (Training and Youth) announced at a Child Care Forum organized by the Assembly of First Nations that the federal government was placing a priority on addressing child care needs in First Nation and Inuit communities **as part of its red book commitment to improving quality child care in Canada.**" The overall goal is to ensure that there are at least 6,000 quality child care spaces available in First Nation and Inuit communities as the end of a three-year developmental period. The intent is to move towards access to child day care services by First Nation and Inuit children under the age of 6 years, comparable to that available to children of working and studying parents in the general population, while addressing the unique needs and barriers in First Nation and Inuit Communities. This funding will focus on the creation of new spaces where services were previously inaccessible, while enabling the upgrading of existing spaces to meet First Nations and Inuit standards and quality." Note: this was 27% of children whose parents work or study.

The National Child Care Technician Group (NCCTG) was established by the Assembly of First Nations (AFN) to consider the design and delivery of the Initiative. The NCCTG recommendations are included in a report call "Considerations and Recommendations for the First Nations/Inuit Child Care Program and Funding Framework October 31, 1995." The report is the outcome of a negotiations process with regional First Nations and Inuit groups across Canada. The document is the main reference document for the implementation of this program

and includes a national allocation formula. (Those not in agreement were Alberta and Ontario. The Northwest Territories were not represented at the meeting). The NCCTG accepted as given, the principles or parameters used to get confirmation for funds from Cabinet for this child care initiative. This document became known as the "BLUE BOOK". It was the basis of the Halifax Funding Formula, which is still being debated to this day. In December 1995, the Treasury Board in Ottawa approved the Child Care Initiative. There was a resolution by the Saskatchewan All Chiefs Assembly to enter into Contribution Agreement with HRDC. Their decision was to allocate the funds to each First Nation, using the Halifax formula, so children living on reserve, whose parents were working or studying, would have access to quality child care programs.

The developmental phase for Saskatchewan First Nations day care programs on reserve began in 1996 and concluded in April 2000 when programs were required to be operational and able to meet licensing requirements. This phase included regional training; renovating or building new facilities; creating educational materials; and developing local Childcare program policies. In January 1996 there was a Saskatchewan First Nations All Chiefs' Resolution to form a Steering Committee for Child Care. The Childcare Working Group (CCWG) was formed under the authority given to the Health & Social Development Commission by the "Health & Social Development Commission Act" Section 16. e): "The Commission may make provision for the establishment and maintenance of support systems; advisory councils; or management, regulatory, or appeal bodies." and Section 17. d): "The establishment and maintenance of professional, technical, or advisory bodies." The Terms of Reference for this working group was approved in July of 1996. Monthly meetings began in October 1996, with representatives from each Tribal Council and from most Independent First Nations. The CCWG gave priority to: developing policies and regulations, developing strategies and options for research and delivery models, funding allocation formulas, multi-year work planning and identifying roles and responsibilities of F.S.I.N., Tribal Councils, and Independent First Nations.

The first version of Saskatchewan First Nations Regulations was drafted in April 1997. Other Child Care Regulations in existence were: Meadow Lake Tribal Council, Onion Lake Charter and Touchwood File Hills Qu'Appelle Tribal Council. Independent First Nations and Tribal Councils who did not have their own Regulations were to use the Saskatchewan First Nations

Child Care Regulations (1998) . A proposal was written in 1999 and included as an appendix to the FNICCI Proposal. FSIN was allocated 3.72 % of the regional FNICCI allocation of 6.056 million for 3<sup>rd</sup> level functions. FSIN agreed to provide the licensing and monitoring functions (2<sup>nd</sup> level) as in-kind contributions out of the same allocation. The administration money in the document was specifically for licensing and monitoring. Tribal Councils also received allocations for licensing and monitoring based on population of children 0-6 in 1999. All the above figures were ratified through an All Chiefs Resolution.

The current working group "First Nations Early Learning Child Care Circle" (FNECC) was formed in 2001 through the integration of the Child Care Working Group and the Headstart Working Group that had been established to guide the development of the newly implemented Aboriginal Headstart (AHSOR) program. The Terms of Reference for the integrated Working Group were modified several times and ratified in 2010

In 2000 the Saskatchewan First Nations *Nurturing Seven Generations AHSOR Integrated Framework* to Regional Management was written. It was approved by the Health and Social Development Chiefs on March 9, 2000 and approved by Health Canada (then Medical Services Branch) on March 20, 2000<sup>(s1)</sup>. Through that framework Saskatchewan First Nations were approved for Headstart Programs in all 77 First Nations, providing an equal amount to each First Nation (\$39,500). Each Headstart site needed to identify in-kind contributions and other sources of funding from within the community to support this approach. The remaining costs were supported by Health Canada. Each Tribal Council and F.S.I.N on behalf of Independent First Nations, was considered a "Project Site" and contributes administrative, programming and monitoring support to each of their respective Headstart programs. This approach ensured that Headstart Programs were coordinated and/or integrated with, other community services and programs (e.g. Child Care, Nursery or Pre-School, Kindergarten, Nutrition, Community Nursing, Dental,) ensuring they were supported and sustainable. First Nations developed unique program models to deliver this service with limited funding – home visiting and "center days"; stand alone preschool with parent/child days; integrated with Child Care; parent/child programs in the evenings; integrated with preschool/kindergarten, etc.

Saskatchewan Headstart sites and Daycares agreed to follow the Saskatchewan First Nations Child Care Policies and Regulations (FSIN), and/or their own Tribal Council Regulations or Charter. Each of the First Nations Regulations exceeded the Provincial standards at that time. FNECC agreed to eventually amend the Regulations of 1997 to better include and reflect Headstart. FNECC also agreed to continue their work to develop appropriate tools and protocols for monitoring. In 2001, the Province of Saskatchewan amended their Child Care Act and Child Care Regulations. Saskatchewan First Nations on Reserve children's programs were exempted from these Regulations. To date Saskatchewan First Nations are the only region to license and monitor their own children's programs. In 2001 the Child Care Working Group (FNECC) received recognition for the work in the area of Licensing and Monitoring by the "The Centre of Excellence for Children's Well Being".

## **Part II – Short Title**

1.1 This document shall be called the "Saskatchewan First Nations Early Learning and Child Care Policies and Procedures 2013".

## **Part III – Definitions**

2.1 In this Policy, the following definitions shall apply:

(a) "Child Care " means early child development services or school age child care services provided in a public building, for children 6 weeks to 12 years of age, provided on a fee for service basis.

(b) "Family Child Care" means early child development services provided in a private home, for up to 6 children (6 weeks to 12 years of age), including the Family Child Care provider's own children under 12 years of age, provided on a fee for service basis.

(c) "Head Start" means an early child development program for children, 0 to 6 years of age, and their families, that provides comprehensive programs based on the six components (Culture and Language, Education, Health Promotion, Nutrition, Social Support, Family Involvement) and is provided free of charge to families. Within the 0 to six years of age mandate, each First Nation determines the age group most in need, and the program models that best meets community needs.

(d) "Early Learning and Child Care facilities" includes Childcare (Daycare), Family Child Care and Headstart.

(e) "Independent First Nation" means those First Nations who are signatories to the Federation of Saskatchewan Indian Nations Convention and who are not a member of a Tribal/Agency/Grand Council.

(f) "Tribal Council" means the aggregate group of First Nations belonging to the same Tribal/Agency/ Grand Council.

(g) Federation of Saskatchewan Indian Nations (F.S.I.N.) represents 74 First Nations in Saskatchewan. The Federation is committed to honoring the Spirit and Intent of the Treaties as well as the promotion, protection and implementation of Treaties that were made with the First Nations more than a century ago.

(h) "Monitoring Certificate" is a document that is provided to the Early Learning and Child Care facility when all the monitoring requirements outlined in this document are met.

(i) "License" is a document that is provided to the Early Learning and Child Care facility when all the licensing requirements outlined in this document are met.

## **Part IV – Application**

3.1 These Policies and Procedures apply to all Early Learning and Child Care facilities operating on First Nations in Saskatchewan, that do not follow their own Tribal Council Regulations.

## **Part V – Authority**

### **4.1 Saskatchewan First Nations**

Chiefs and Councils have primary authority over all early learning and child care matters on reserve. Chief and Council may delegate decision making and responsibility for Early Learning and Child Care facilities to a management structure (e.g. Health or Education Authority). They may permit the operation of Early Learning and Child Care facilities in accordance with these Policies and Procedures. First Nations, through Band Council Resolution, can approve all applications to operate Early Learning and Child Care facilities operating on their First Nation in accordance with the processes set out in Part V.

First Nations are responsible for reporting to their membership on all their Early Learning and Child Care facility operations. They are also responsible for financial management and reporting of the funds allocated to their Early Learning and Child Care facilities. First Nations can, by Band Council Resolution, authorize the Federation of Saskatchewan Indian Nations (the "FSIN"), or a Tribal Council to monitor their Early Learning and Child Care facilities in accordance with these Policies and Procedures.

### **4.2 Tribal Councils**

Tribal Councils and their staff provide overall direction for their Early Learning and Child Care Program policy development and implementation in accordance with the respective funding agreements, and in accordance with policies that they have enacted.

Tribal Councils are responsible for:

- 1 Monitoring of member First Nation Early Learning and Child Care facilities in accordance with their own Regulations, OR in accordance with the Regulations of the FSIN;



- 2 Financial accounting and reporting of the funds allocated in the Contribution Agreements for the Early Learning and Child Care facilities they are responsible for, and
- 3 Maintaining documentation and files as required under Contribution Agreements.

A Tribal Council which has not enacted its own Regulations shall adopt the F.S.I.N.'s First Nations Early Learning and Childcare Regulations and shall utilize these standards when monitoring their ELCC facilities.

A Tribal Council may choose to license the Early Learning and Child Care facilities of their member First Nations.

Tribal Councils shall carry the appropriate liability insurance to cover the licensing and monitoring functions provided through their Early Learning and Child Care Office and by other Tribal Council staff.

---

#### **4.3 Federation of Saskatchewan Indian Nations (FSIN)**

The FSIN is responsible to:

- support the Regional and National delivery of the First Nations/Inuit Child Care Initiative and Aboriginal Headstart On-Reserve Program in Saskatchewan,
- monitor the Early Learning and Child Care facilities for independent First Nations in accordance with the First Nations Early Learning and Childcare Regulations,
- maintain documentation and files as required under Contribution Agreements.
- carry the appropriate liability insurance to cover the monitoring functions provided through their Early Learning and Child Care Department.
- Review the FSIN Regulations and Monitoring Procedures documents every 5 years in coordination with Contribution Agreements, to ensure equivalency.

## **5. Early Learning and Child Care Facility Responsibilities**

In this section, the following sets out appropriate responsibilities of the following types of facilities:

### **5.1 Early Learning and Childcare Facilities**

Once an Early Learning and Child Care facility is approved for operation, the staff are responsible for the day to day operation of the facility, with the supervision of the First Nations governance, to ensure compliance with the F.S.I.N.'s First Nations Early Learning and Child Care Regulations or the Tribal Council Regulations they have agreed to follow.

The First Nation management structure (Health or Education Authority) responsible for Early Learning and Child Care facilities shall provide financial and program operation reports to the FSIN or Tribal Council, in accordance with any Contribution Agreements.

### **5.2 Family Child Care Home ("FCCH")**

Once the Family Child Care Home is approved for operation, the family child care home provider is responsible for the day-to-day operation of the service in compliance with the F.S.I.N.'s First Nations Early Learning Child Care Regulations or the Tribal Council Child Care Regulations they have agreed to follow.

The First Nation management structure (Health or Education Authority) responsible for Family Child Care Providers shall provide financial and program operation reports to the FSIN or the Tribal Council, in accordance with any Contribution Agreements.

## **Part VI – Approval**

### **7. General Approvals and Monitoring**

7.1 Monitoring Certificates or Licenses are required for the operation of Early Learning and Child Care facilities. These are not transferable to another individual, location or facility.

7.2 Early Learning and Child Care facilities must provide all required documentation to demonstrate compliance with the F.S.I.N.'s First Nations Early Learning and Child Care Regulations or the Tribal Council Regulations they follow.

7.3 Every Early Learning and Child Care facility must obtain an appropriate amount of liability insurance, and contents replacement insurance prescribing the amount and governing the coverage of the insurance, with a copy of the insurance policy or certificate to be kept at the Early Learning and Child Care facility. A copy of such insurance policy or certificate shall also be provided to the FSIN or the Tribal Council, whichever provides monitoring /licensing services.

### **8. Approval Process**

8.1 Chief and Council may approve an Early Learning and Child Care facility to operate on reserve, provided that all information and materials requested by the FSIN or the Tribal Council, is included with the application.

8.2. Chief and Council may approve, through Band Council Resolution, all applications for Approval to Operate an Early Learning and Child Care facility or Family Day Care Home for their own First Nation. They would forward the Band Council Resolution, and an Application for Approval to Operate, with the attached documents, to the FSIN or the Tribal Council, whichever provides licensing and/or monitoring services.

8.3 Once the Band Council Resolution is forwarded, with attached documents pursuant to 8.2, the FSIN or the Tribal Council shall:

- a. Approve it without conditions;
- b. Approval with exemptions, as outlined in Section 10.1; or
- c. Approve with conditions, if in consultation with the First Nation Governance and approved technical staff it is determined that:
  - i. The program can comply within a reasonable time frame; AND
  - ii. The health and safety of the children attending the facility are not at risk; or
- d. refuse to provide their approval with reasons.

8.4 The FSIN or the Tribal Council, may recommend to the First Nation to amend, suspend, or cancel a Monitoring Certificate or License when:

- a. Recommendations for compliance with the Regulations have not been met within the agreed upon time frame, \_\_\_\_\_

## 9. Types of Approvals

9.1 The FSIN or the Tribal Council may issue the following types of Monitoring Certificates or Licences:

- a. Standard: Facility which meets all the conditions of the First Nations Early Learning and Child Care Regulations, or equivalent Regulations they follow.
- b. Provisional: Facility where some conditions of the First Nations Early Learning and Child Care Regulations or equivalent Regulations, are not met, and can be complied with in an agreed upon timeframe (less than 12 months).

- c. Monitoring Certificate or License with Exemptions: Facility which meets all the conditions of the First Nations Early Learning and Child Care Regulations or equivalent Regulations, except for listed exemptions, as outlined in 10.1 (a, b, c, or d).

## 10. Exemptions

10.1 The FSIN or the Tribal Council may issue a Monitoring Certificate or License with the following exemptions:

- a. Staffing (see Regulations, "Qualifications of Staff")

Facilities that have advertised for and are unable to hire staff with the required qualifications, may request an exemption. A training plan shall be placed in the staff file, and provided to the FSIN or the Tribal Council, outlining how the required qualifications will be met.

- b. Outdoor Space Requirements

Facilities that were licensed under the 1998 First Nations Child Care Policies and Regulations, using those minimum square footage requirements for outdoor space, shall be allowed to continue operating at that standard. When they move or renovate, they will be required to meet the higher standard outlined in the Regulations.

- c. Indoor Space Requirements

Facilities that were licensed under the 1998 First Nations Child Care Policies and Regulations, using those minimum square footage requirements for indoor space for infants, toddlers, pre-schoolers or school age children, shall be allowed to continue operating at that standard. When they move or renovate, they will be required to meet the higher standard outlined in the Regulations.

#### d. Community Situations

Facilities which are subject to ongoing situations or structural issues that cannot be changed, for example:

- low pressure water system, which will not operate a sprinkler system; or
- sewage system.

### **11. Monitoring of Facilities**

Monitoring is the ongoing inspection and support of Early Learning and Child Care facilities to ensure ongoing compliance with the Regulations they follow, and the terms and conditions of their Monitoring Certificate or License.

11.1 The FSIN or the Tribal Council shall ensure that the monitoring of all Early Learning and Child Care facilities that they are responsible for, are operating in accordance with the First Nations Early Learning and Childcare Regulations they follow.

11.2 The FSIN or the Tribal Council shall carry out a minimum of 2 announced and 2 unannounced visits to all facilities on an annual basis.

### **12. Renewal of Authority to Operate**

Where the Chief and Council has provided all required documentation as outlined below, to the FSIN or the Tribal Council for an Early Learning and Child Care facility which was previously approved, demonstrating it continues to meet the requirements and standards as described in the Regulations they follow, the FSIN or the Tribal Council may approve the facility's operation for a term not exceeding one year.

### **12.1 For Center Based Early Learning and Child Care Facilities**

Each Early Learning and Childcare facility shall submit to the FSIN or the Tribal Council, an Annual Renewal Application or Annual Licensing Application, with the following included:

- a. A letter from the Environmental Health Officer stating that all health standards are met;
- b. A letter from the Federal Fire Commissioner or other qualified Technical Services advising that fire safety standards are met;
- c. A letter from the Federal Building Compliance Inspector or approved equivalent, advising that National Building Code Standards are met;
- d. Information on the land location of the Early Learning and Child Care facility, only if it has moved locations;
- e. Detailed floor plan indicating measurements and fixed equipment;
- f. Detailed outdoor yard plan indicating measurements, fixed equipment and play structures.

### **12.2 For Family Child Care Homes**

Each Family Child Care Provider shall submit to the FSIN or the Tribal Council, an Annual Renewal Application or Annual Licensing Application, with the following attachments included:

- a. Letters of character reference from two people who have known the applicant for at least two years (excluding relatives);
- b. A letter from a medical practitioner indicating that their physical, mental and emotional health is sound and appropriate for the caring of children;
- c. A tuberculin (T.B.) test (when required);
- d. Copy of the provider's First Aid/CPR Certificate;
- e. A Criminal Record Check and a Vulnerable Sector Check, for the provider and for any other adults living in the home;
- f. Copy of provider's Early Learning and Child Care Orientation Training Certificate;

- g. An inspection report for the applicant's home, indicating compliance with approved fire, health and safety standards to be conducted and prepared by authorized technical staff; and
- h. A business plan for the operation of the family child care home.

### **12.3 For all Early Learning and Child Care Facilities**

All Early Learning and Child Care facilities submitting an Annual Renewal Application or Annual Licensing Application, shall also submit to the FSIN or the Tribal Council the following:

- a. written confirmation from the First Nation management structure responsible for the facility, that any deficiency noted in an inspection, monitoring or licensing report has been corrected.
- b. A written statement of the program to be provided, including:
  - program vision statement, and program goals;
  - community and cultural values, beliefs and principles; and
  - their child guidance philosophy and plan.