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SEPTEMBER 24, 2025--RESPONSE TO ONTARIO REGULATORY PROPOSAL:

[Amending O. Reg. 521/01: Collection of Personal Information and consequential regulations](#)

Established in 1981, the Association of Day Care Operators of Ontario (ADCO) is the industry association for independent licensed child care programs, both commercial and not-for-profit in Ontario. Together, our members employ thousands of Early Childhood Educators (ECEs), Early Childhood Assistants (ECAs), Ontario Certified Teachers (OCT) and other early childhood professionals. ADCO members also regularly accept post-secondary students on work placements so that they may acquire real-world experience in the sector. Additionally, some ADCO members are involved in programs that see volunteers helping facilitate children's activities.

Severe staffing shortages have plagued the sector since the roll-out of Ontario's full-day kindergarten program. Its model of having an ECE and an OCT in every classroom pulled ECEs out of community day cares. The sector has never fully recovered, in part because Ontario has not produced enough ECE and ECA graduates to make up this shortfall. Further, in 2024, the Auditor General of Ontario did a performance audit of Ontario's Immigrant Nominee Program (OINP), revealing that documented vacancies for early childhood educators and assistants in Ontario increased by over 500% between 2019 and 2023, growing from 525 to 3260, with only about 200 nominations processed by the OINP. In other words, while early childhood educators and assistants made Ontario's top ten list of job vacancies from 2019 to 2023, they ranked 49th in terms of the OINP nominations during the same period. The federal government has also repeatedly failed to exempt child care employers from changes it has made to the Labour Market Impact Assessment (LMIA) rules. The result is that Ontario's licensed child care system is not running at its full licensed capacity. In fact, across Ontario, many centres have entire rooms closed, not due to a lack of parental demand, but due to a lack of qualified staff.

If the Province of Ontario hopes to shorten child care waitlists for families, it must focus on eliminating barriers to qualified individuals seeking to work in the licensed child care sector. The wording changes presented in the current regulatory proposal don't do this. In fact, they cast such a wide net, that some of those who already have exemplary track records as employees in licensed child care centres may find they are no longer eligible for employment when it comes time for them to renew their record checks.

Filing a noise complaint against a neighbour, participating in a peaceful protest or being the victim of domestic violence are all the kinds of things that could bring an ECE or other early learning professional into contact with police, whereby their names would appear in police records. Knowing that neither police departments nor child care employers have the resources to sift through all of this information to determine what actually relates to criminal charges against the individual involved and what are merely coincidental mentions, the proposed regulatory wording change may well leave large numbers of early childhood professionals automatically barred from practicing their professions. In addition to dealing a potentially devastating blow to Ontario's licensed child care sector and exacerbating the waitlist problems associated with the Canada-Wide Early Learning and Child Care program, the proposed wording change is unfair and unjust to the individuals involved.

For these reasons, the Association of Day Care Operators of Ontario, respectfully suggests that **no change** be made to the existing wording in the regulation, that Subclause 1 (1) (a) (x) of Ontario Regulation 322/10 remain as written—i.e. "personal criminal history" rather than the proposed "police record check".