

**Early Learning and Child Development
Child Care Centre
Operating Grant Program
Policy and Standards Manual**

Record of Updates

Version	Date	Update
1.0	December 2014	Initial Launch
1.1	October 2015	Updated 15% increase & supplemental funding option
2.0	April 2018	Updated categories with the Canada-NL Bilateral
2.1	January 1, 2021	Updated to the \$25 daily rate
2.2	January 1, 2022	Updated to the \$15 daily rate
3.0	January 1, 2023	Updated to the \$10 daily rate
3.1	April 1, 2024	Updated all sections

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PROGRAM OVERVIEW

The Operating Grant Program (OGP) for child care centres is a key component of the Canada-Newfoundland and Labrador Canada-Wide Early Learning and Child Care Agreement.

The intent of the OGP is to improve affordability and accessibility of quality child care for families with young children throughout Newfoundland and Labrador. Participation by licensed child care centres is voluntary and includes a set daily rate for parent/guardian fees.

All regulated child care centres in the province of Newfoundland and Labrador are eligible to apply for the operating grant. This includes both commercial and not-for-profit community-based centres committed to ongoing quality, inclusion, accessibility, and affordability. Centres must comply with the Child Care Act, regulations, and policies, including the Operating Grant Program Policy for Child Care Centres.

All operating grant program resources can be found at: [Operating Grant Program - Education \(gov.nl.ca\)](https://www.gov.nl.ca/education/operating-grant-program/)

PROGRAM ELIGIBILITY: ELIGIBILITY, MAINTAINING ELIGIBILITY AND INELIGIBLE CIRCUMSTANCES

Policy no.: ELCD–2021–OGP–A1

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References:

Legislative References:

POLICY AND PROCEDURES:

Eligibility

1. All regulated child care centres are eligible to participate in the Operating Grant Program (OGP).
2. Child care centres must submit an [Operating Grant Program – Child Care Centre – Application/Renewal form](#) and sign a Service Agreement in order to participate in the OGP.
3. OGP participants are eligible for multi-year operational Service Agreements unless serious chronic compliance issues pertaining to licensing, reporting or noncompliance with federal or provincial legislation are identified. Where issues exist, the Director of Accountability and Reporting will determine eligibility on a case-by-case basis.
4. Eligibility is not a guarantee of OGP funding. Funding is subject to compliance with the Child Care Act, regulations, and related policies, OGP Policy and Standards, ECE Wage Grid Policy and Standards, and Department of Education budget approval.

Maintaining Eligibility

1. To maintain eligibility, centres must:
 - i. Actively participate in quality and inclusion child care initiatives through the Quality Enhancement and Inclusion programs.
 - ii. Cap daily child care fees at the provincially approved rate.

- iii. Provide salaries in accordance with the Early Childhood Educator (ECE) Wage Grid and not retain any funds intended for an ECE.
 - iv. Offer professional development/learning opportunities (PD/PL) for employees.
 - v. Participate in the Early Learning Gateway inclusive of the waitlist and child care service portal; and
 - vi. Comply with the Child Care Act, regulations, and all ELCD program policies.
2. All licensed and enrolled spaces that are staffed with ECEs are eligible for Operating Grant funding.
3. Child care centres that change ownership are eligible for automatic continuance of OGP if there is no interruption in service to children. There must be no interruption in employment or wages for Early Childhood Educators (ECEs) and other employees.
4. Centres that participate in Child Care Capacity Initiatives immediately before participating in the OGP are eligible for the full grant for all licensed spaces for one year from when enrolled children begin attending.
5. Operators, licensees, ECEs and administrators must attend and submit documentation of participation in community based anti-bias training before July 1 of each year from an approved organization. An approved list of organizations which offer anti-bias training, materials and resources can be found in [Appendix A](#).
6. Child care centres must accept student placements when approached by a post-secondary institution unless there are extenuating circumstances that would prevent the placement i.e., many students are already in placements at the centre.
7. Child care centres must meet the reporting and financial accountability requirements outlined in the service agreement. Failure to do so will result in suspension of the agreement or withheld payments until reporting requirements are met.
8. Child care centres are responsible for informing the parent/guardian and employees of all policies and fee structures in a parent handbook and/or contract. Handbooks must:
 - i. Include notice of changes must be informed to parents / staff at least thirty days before implementation; and
 - ii. Not contradict or circumvent guidelines in any legislation, regulations, program, or policy presented by the Department of Education or any other provincial or federal department.
9. All information on contracts, websites, social media, chat groups, posters, bulletin boards, etc. may only be reminders/repetition of the contents of the parent/employee

handbook. Spontaneous ad hoc policies or decisions posted in text groups or social media are prohibited.

10. Centres may not terminate registrations/enrollments without due cause. Centres that are suspected of targeted terminations, bullying, harassment, intimidation, or violation of the Human Rights Act will be subject to suspended OGP agreements until an investigation is completed.

Ineligible Circumstances

1. The following circumstances are not eligible for OGP funding:
 - i. Vacant spaces below an enrollment threshold of 90 per cent licensed capacity.
 - ii. Child care centres that are not operational.
 - iii. Closed homerooms and/or spaces.
 - iv. Closures resulting from Child Care Act or other violations (these closures will be deducted from subsequent payments).
 - v. Child Care Centres operating in contravention of the Human Rights Act.
 - vi. Child Care Centres that fraudulently acquire OGP or ECE Wage Grid funding.
 - vii. Child Care Centres that prevent children from attending their currently enrolled space, e.g., turning away children due to late or mid-day arrival; and
 - viii. Child care centres elect to voluntarily close/reduce operations during times of low attendance.

REFERENCE DOCUMENTS:

- Operating Grant Program – Child Care Centre – Application/Renewal Form
[Fillable-Centre-OGP-Application-Form-.pdf \(gov.nl.ca\)](#)
[Printable-Centre-OGP-Application-Form-.pdf \(gov.nl.ca\)](#)

OGP GRANT: RATES

Policy no.: ELCD–2021–OGP–B1

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References: [ELCD–2021–OGP–B2](#); [ELCD–2021–OGP–B3](#)

Legislative References:

POLICY AND PROCEDURES:

Rates

- OGP rates are set based on part- or full-time equivalencies and the age range of the children as outlined in the table below:

Age Range	OGP Rate ¹ per space/per day as of April 1, 2024	Child Care Rate per space/per day as of January 1, 2023	Total Rate per space/per day as of April 1, 2024
Infants ² (Full Time)	\$61.00	\$10.00	\$71.00
Toddlers (Full Time)	\$41.00	\$10.00	\$51.00
Preschool (Full Time)	\$37.50	\$10.00	\$47.50
Pre-Kindergarten	\$37.50	\$10.00	\$47.50
School Age (Full days)	\$37.50	\$10.00	\$47.50
After School	\$19.50	\$4.00	\$23.50
Before and After School	\$20.50	\$5.00	\$25.50
Infant (Part Time)	\$32.50	\$5.00	\$37.50
Toddler (Part Time)	\$22.50	\$5.00	\$27.50
Preschool (Part Time)	\$20.75	\$5.00	\$25.75
Pre-Kindergarten (Part Time)	\$20.75	\$5.00	\$25.75

¹Rate Includes meals and snacks.

²This amount does not include the additional \$30 per enrolled infant for verified operational days (not applicable to voluntary closures).

2. The rate for full-time spaces is based on full-time equivalency (FTE). Part-time spaces are pro-rated based on the number of hours/days that the child care service is open for attendance.

3. The amount is determined by multiplying:

$$\begin{array}{ccccc}
 \text{Licensed age} & & \text{Projected \# of children (Initial) or} & & \text{\# of operational days} \\
 \text{range space} & & \text{Actual \# of spaces (Renewal and} & & \text{for each program} \\
 \text{type} & \times & \text{Amendment)} & \times & \text{offered}
 \end{array}$$

4. To receive full OGP grant funding, a minimum of 90 per cent child enrollment of the centre's licensed capacity must be maintained, except where actual enrollment is determined by the child to caregiver ratio.
5. To assist with sustaining the infant age range and encourage space creation, centres that provide services to children in the infant age range will receive an additional \$30 per enrolled infant for verified operational days. This incentive is not applicable during voluntary closures.
6. Due to operational costs in Labrador, OGP participants in that region receive an additional 15 per cent allotment. A second 15 per cent may be allotted to support personnel costs if demonstrated through a needs-based analysis. Verification of salary expenditures by a third party with a financial designation i.e., Chartered Professional Accountant (CPA) is required.
7. In recognition of unique geographical and enrollment challenges that may be experienced in non-urban areas, a rural and remote allowance is available to services in Labrador and all communities expected those defined as part of Census Metropolitan Area (CMS) or Census Agglomerations (CA) as per 2021 [Population Counts](#). Eligible services will receive an additional 10 per cent of their OGP funding.
8. OGP rates include funding to offset the provision of meals and snacks. More information on meals and snacks can be found in section [ELCD-2021-OGP-B2](#) of this manual.
9. If a child care centre's daily fee is lower than the set rates, the lower amount is invoiced to parents/guardians.
10. Fees other than the exemptions outlined in section [ELCD-2021-OGP-B3](#) of this manual and the approved child care daily rate are prohibited. This prohibition includes, but is not limited to:
 - i. Annual registration fees.

- ii. Dismissal and re-registration fees.
- iii. Multiple permanent and/or temporary registrations/enrollments for a single space.
- iv. Waitlist fees.
- v. Holding fees.
- vi. Field trips, extra-curricular activities, occasions involving extra foo,
- vii. Toys, arts and crafts, supplies, materials.
- viii. Seasonal clothing, costumes, regalia, uniforms, cultural events; and
- ix. Photos of regular or special events and entertainment.

REFERENCE DOCUMENTS:

OGP GRANT: MEALS AND SNACKS

Policy no.: ELCD-2021-OGP-B2

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References:

Legislative References:

POLICY AND PROCEDURES:

Meals and Snacks

1. A child care centre must provide meals and snacks, unless exempt. Meals and snacks must be sufficient in quantity and quality as required by child care legislation.
2. The OGP provides \$1.00 per snack and \$3.00 per meal to offset the cost associated with providing this service.

No or Minimal Provisions for Meals and/or Snacks

1. Child care centres can be exempt from providing meals and snacks where there is a lack of appropriate facilities for preparing and serving food.
2. Child care centres exempt from providing meals and snacks are required to have food on hand to replace insufficient meals and snacks. The number and frequency of replacement meals and snacks must be informed to OGP on the initial application, renewal, or change of circumstance form as well as the monthly stats form. The information provided will determine the amount issued to help offset the provision of food. Verification may be required.
3. Child care centers must permit families with children who have documented special dietary needs due to medical conditions to provide special meals to the child care centre for their child as deemed appropriate by the family. When meals and snacks provided by the family staff must be cognizant of any food allergies that may be applicable/present.

Additional Meals and/or Snacks

1. Child care centres that provide full time child care prior to 7:30am and after 6:30pm are required to serve breakfast and/or dinner/supper. A copy of the approved menu including breakfast/supper must be sent to the regional OGP office, as well as evidence families are notified of extended hours of operation and additional meals.
2. Child care centres with hours of operation later than 6:30pm are eligible for additional funding for an evening meal or snack. It is the responsibility of the child care centre to request this additional funding.
3. To qualify for additional funding for meals and/or snacks, the applicant must indicate on the Operating Grant Application, renewal, or Change of Circumstance form the number of additional meals and/or snacks provided. A copy of the license must accompany the application. The operational hours and conditions on the Child Care License must be reflective of time the additional meal or snack is being offered.
4. Child care centres serving families who are experiencing food insecurity may request additional meals and snack allotments for those children. Verification may be required.

REFERENCE DOCUMENTS:

OGP GRANT: EXCEPTIONS

Policy no.: ELCD–2021–OGP–B3

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References:

Legislative References:

POLICY AND PROCEDURES:

Exceptions

1. There are three exceptions to the approved child care daily rates for child care centres participating in the OGP, they are administration/registration, transportation, and late fees.
2. Parents/guardians are responsible for paying the exceptional fees set by this policy.

Administration/Registration Fees

1. An administration fee may be collected under the following circumstances:
 - i. The fee of \$25 or less.
 - ii. It is a one-time fee per child for new enrollment where the child has not previously attended the centre.
 - iii. The space is not available for three weeks or more.
 - iv. The fee is equal to or less than two weeks of daily rates (excluding OGP daily rates); and
 - v. The family is credited the registration fee minus an administration fee of \$25 during the first month of enrollment at the centre.
2. Detailed invoices for administration fees must accompany all financial transactions as per guidelines set out by the [Canada Revenue Agency](#).

3. When requested in writing, the Director of Accountability and Reporting may grant permission for a registration fee with laborious special conditions e.g., as part of guaranteed recruitment benefits for the service.
4. If the child care centre does not enroll a child within three months of accepting registration fees, the full amount of the fee must be reimbursed to the payer.
5. The child care centre is not required to reimburse any part of a registration fee where a parent/guardian has not provided at least two weeks of written notice that their child will not be availing of a space for which they signed a contract.
6. When provided payment in advance, centres may not withhold funds for children departed/terminated from the centre.
7. Parents/guardians are not responsible for fees beyond the two-week notice period.

Transportation

1. Fees are permitted for transportation that is:
 - i. Optional; and
 - ii. Provided between home or school and the child care centre.
2. Transportation fees must be clearly outlined in a parent handbook to include:
 - i. Amounts and conditions; and
 - ii. At least two weeks of advanced written notification of any changes in amounts or conditions.

Late Fees

1. Late fees are permitted where:
 - i. Late pick up or early drop off and requires the child care centre to provide child care outside the regularly scheduled hours of child care.
 - ii. Insufficient funds penalties have been applied to parental/guardian accounts; and
 - iii. An accumulating per day \$10 late payment fee when the parent/guardian did not pay the child care invoice by the due date. This fee is only applicable after a regularly scheduled due date for payment of child care fees has been communicated in advance in the parent/guardian handbook and contract.

Exceptions to Regular Days of Operation

1. Payment of the daily rate to the child care centre by parents/guardians on a statutory/designated holiday, or involuntary closure is required and not considered to be an exception or an extra fee.
2. In addition to the below days, OGP will fund two closure days for employee PD/PL and five extra closure days, which are to be determined at the discretion of the service:
 - i. New Year's Day, Good Friday, Easter Sunday (if operational on that day), Victoria Day, Memorial/Canada Day, Labour Day, Truth and Reconciliation Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day, and a relevant civic holiday (if one exists).
3. Child Care Centres will endeavor to accommodate requests to designate replacement statutory holiday(s) that are of cultural or religious significance to the employee in place of any or all the statutory holidays, and such requests shall not be unreasonably denied. The employee must make the request in writing at least 30 days before the date of the replacement or statutory/designated holiday, whichever comes first. Requests received less than 30 days before the date of the replacement or designated/statutory holiday will be subject to operational requirements and availability of replacement staff will not be unreasonably denied.
4. The regional OGP office must be notified 30 days in advance of closures where possible.
5. Employees must be paid for all the above noted holidays and closure days and not be required to utilize vacation days during these closures, regardless of their employment period.
6. Parents/guardians are required to be notified of closures at least 30 days in advance and can be charged child care fees during statutory holidays and involuntary closures including PD days.

REFERENCE DOCUMENTS:

- Canada Revenue Agency
[Canada Revenue Agency - Canada.ca](https://www.cra.gc.ca)

APPLICATION: TYPES

Policy no.: ELCD-2021-OGP-C1

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References:

Legislative References:

POLICY AND PROCEDURES:

Application Types

1. There are three types of OGP applications, Initial, Renewal and Change of Circumstance Form.

Initial application

1. An initial application applies to child care centres that:
 - i. participated in the Child Care Capacity Initiative and is transitioning from developmental to operational funding with children enrolled and attending the centre.
 - ii. has not received any previous operational funding from the OGP.
 - iii. is under new ownership. Care for children and employment for ECEs must not have been interrupted during the sale; and
 - iv. is new and is under ownership of an individual or company that already accesses operational grant funding.

Renewal application

1. Renewal applications apply to applicants who have previously participated in the OGP and have signed a previous Service Agreement.

2. Renewal applications and supporting documentation must be received by the Department 30 days prior to the end of the Service Agreement.
3. It is the responsibility of the applicant to renew a Service Agreement within the periods set out in this manual to avoid a lapse in service.
4. Service Agreements may be automatically renewed or extended for up to five years if the financial statements and/or other reporting requirements are met, reviewed, and approved by OGP financial officers. It is the responsibility of the child care centre to submit the financial documents to trigger an automatic renewal of the Service Agreement.
5. If a renewal application is more than 30 days late, the applicant may submit a written request to the Director of Accountability and Reporting to have the application considered to be effective at the end of the previous Service Agreement. Requests will only be considered in extenuating circumstances and only if all monthly stats, supporting documentation and financial statements are submitted with the application.

Change of Circumstance Form

1. A [Change in Circumstance Form](#) is required where a Service Agreement Amendment is required. Applications to amend an OGP Service Agreement are applicable if:
 - i. A License is varied to reflect changes in:
 - a. Licensed age ranges (e.g., Toddler to Preschool).
 - b. The number of spaces (e.g., increases or decreases in capacity); and
 - c. Operational hours/days (e.g., increase or decrease in the number of hours per day and/or number of days per year).
 - ii. Staffing changes at the centre; and
 - iii. Voluntary closures are planned or have occurred without prior notice to the Department.
2. Applicants must notify the Department in writing, within fourteen business days of a License Variance, staffing changes or voluntary closure.
3. Applicants may apply for an amendment to an existing Service Agreement at least 30 to 90 days prior to the end of the government fiscal year if the following conditions exist:

- i. The applicant demonstrates providing additional hours/days of child care due to unplanned school closures not anticipated at the time of the initial application or not projected at the time of renewal; and
 - ii. The license was varied. A copy of the current license must be submitted with the Change of Circumstance Form.
4. If additional closures occur in the last month of the fiscal year, the centre must notify the OGP immediately.

REFERENCE DOCUMENTS:

- Change in Circumstance Form
[Fillable-Amendment-or-Change-in-Circumstance-Form-2022-10-20.pdf](#)
[\(gov.nl.ca\)](#)

APPLICATION: REQUIREMENTS

Policy no.: ELCD-2021-OGP-C2

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References:

Legislative References:

POLICY AND PROCEDURES:

Requirements

1. An applicant must be the licensee or have delegated signing authority of a licensed child care centre in the province of Newfoundland and Labrador.
2. Applicants must ensure that all supporting documentation is submitted with the completed [Operating Grant Program – Child Care Centre – Application/Renewal form](#) including:
 - i. The vendor numbers. If the Licensee does not have a Government of NL vendor number, the applicant must include:
 - a. A [Supplier Set-up and Maintenance Form](#) for Direct Deposit; and
 - b. Banking information form and void cheque.
 - ii. Financial Statement, as per previous Service Agreement.
 - iii. Confirmation of good standing with Workers Compensation and Benefits Commission (WorkplaceNL); and
 - iv. Confirmation of good standing with [Canada Revenue Agency](#).
3. Incomplete or ineligible applications will be returned to the applicant with a written explanation detailing why the application cannot be processed. Notifications are provided to applicants via e-mail unless otherwise requested by the applicant.

4. The [Operating Grant Program – Child Care Centre – Application/Renewal form](#) and all supporting documentation must be submitted to the regional ELCD office for processing. The application may be submitted electronically via email as indicated below or through the Early Learning Gateway when available:

Metro:

MetroOGP@gov.nl.ca

Western:

WesternOGP@gov.nl.ca

Central East:

CentraleastOGP@gov.nl.ca

Labrador:

LabradorOGP@gov.nl.ca

5. The application can also be submitted via mail or courier to the applicable regional ELCD office. Mailing addresses for each regional office can be found on the Departments website at: [Contact - Education \(gov.nl.ca\)](#)
6. If additionally requested information or supporting documentation listed in this section is not submitted within 30 days after the initial application, the OGP file will be closed. Submission of a new application will be required should the applicant wish to proceed after that period.
7. The initial OGP grant may be backdated to the date that the application was received if the applicant provides verification that the child care fee was set no higher than the provincial rate and children were enrolled and present at the centre. This includes centres participating in the Child Care Capacity Initiative (CCCI). CCCI entitlements are only applicable if the child care centre is open, and children are enrolled and present at the centre.
8. A submitted application is not a guarantee of funding. Funding will be approved once there is a Service Agreement signed by the licensee and the Minister of Education or Designate. Funding is subject to compliance with the Child Care Act, Regulations and Policies, OGP policy and procedures, ECE Wage Grid Policies and Procedures, programs and services of the Department of Education and budget approval.

REFERENCE DOCUMENTS:

- Operating Grant Program – Child Care Centre – Application/Renewal Form
[Fillable-Centre-OGP-Application-Form-.pdf \(gov.nl.ca\)](#)
[Printable-Centre-OGP-Application-Form-.pdf \(gov.nl.ca\)](#)
- Supplier Set Up and Maintenance Form
[supplier-set-up-maintenance-form.pdf \(gov.nl.ca\)](#)
- Canada Revenue Agency
[Canada Revenue Agency - Canada.ca](#)

APPLICATION: ASSESSMENT

Policy no.: ELCD-2021-OGP-C3

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References: [ELCD-2021-OGP-B3](#); [ELCD-2021-OGP-C4](#)

Legislative References:

POLICY AND PROCEDURES:**Assessment**

1. The type and amount of funding that an applicant is eligible for is determined through an assessment process.
2. Once the application package has been reviewed and the annual grant calculations completed, Department personnel will prepare and submit a Financial Grant Request for approval to the Director of Accountability and Reporting which includes:
 - i. A copy of the maximum eligible grant with the number/type of spaces; and
 - ii. The number of operational days, including involuntary closures as outline in section [ELCD-2021-OGP-B3](#) of this manual.
3. The Director will review the package and determine whether the recommendation proposal is:
 - i. Approved.
 - ii. Declined; or
 - iii. Requires reassessment.
4. Upon approval, Department personnel will prepare a Service Agreement including the amount of funding committed, the Service Agreement period, and the terms and conditions of the Agreement for notification to the applicant.

5. The first Service Agreement will be aligned to match Government of Newfoundland and Labrador fiscal year.

Notification to Applicants

1. Where an application for funding is approved, Department personnel will prepare a Service Agreement and notification of approval for the applicant.
2. The Service Agreement is sent to the applicant via email or through the Early Learning Gateway unless otherwise requested.
3. Upon receipt of the Service Agreement, the child care service provider must:
 - i. Review the Service Agreement to ensure that all information (Schedules, terms and conditions, licensing information) is accurate; and
 - ii. Notify the Department immediately if inaccuracies exist.
4. The child care service provider must sign and date the Service Agreement and return it to the regional ELCD office within 20 days of receipt. Failure to submit a signed Service Agreement within this time may result in a delayed payment.
5. By signing the Service Agreement, the child care service provider agrees to the Terms and Conditions of the Operating Grant Program policies.
6. Once the Service Agreement has been signed and returned to the Department, it is sent to the Minister of Education, or authorized delegate, for signature.
7. Where a recommendation has been declined, the Department will notify the applicant via email.
8. Where an applicant is not satisfied with the decision and the issue cannot be resolved through communication with the Department, the applicant may appeal the decision as per section [ELCD-2021-OGP-C4](#) of this manual.

REFERENCE DOCUMENTS:

APPLICATION: REVIEW AND APPEAL PROCESS

Policy no.: ELCD-2021-OGP-C4

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References:

Legislative References:

POLICY AND PROCEDURES:

Review and Appeal Process

1. An OGP participant may request a Grant Summary from the regional OGP office detailing the annual OGP grant amount allotment based on the centre's current Service Agreement.
2. Where an applicant wishes to challenge the OGP grant allotment, a review of the application can be requested by submitting a written inquiry to the Director of Accountability and Reporting of the Early Learning and Child Development Division of the Department of Education.
3. A review shall be performed within fifteen business days of receipt of the written inquiry and the outcome of the review shall be communicated in writing to the applicant.
4. Should the applicant not be satisfied with the outcome of a review, they may request an appeal, in writing, to the Assistant Deputy Minister of Early Learning and Child Care within 30 days of the date that the outcome of the review was completed.
5. A review of the appeal shall be performed within thirty business days of receipt of the letter and the outcome shall be communicated by email to the applicant. The decision of the Assistant Deputy Minister's is final.

REFERENCE DOCUMENTS:

PAYMENT: PROCESS AND REQUIREMENTS

Policy no.: ELCD–2021–OGP–D1

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References:

Legislative References:

POLICY AND PROCEDURES

Payment Process

1. Where operating grant funding is approved, a Service Agreement will be sent to the applicant for review and signature.
2. The Licensee or authorized delegated authority must sign and date the Service Agreement and return it to the regional ELCD office within 20 days of receipt. Failure to submit a signed Service Agreement within this time may result in a delayed payment. By signing the Service Agreement, the applicant agrees to the Terms and Conditions of the OGP and ECE Wage Grid policies.
3. The Child Care Centre shall submit monthly enrollment/ECE Wage Grid stats forms for subsequent payments. Stats forms must be received by the department by the 5th of each month.

Payment Requirements

1. Payments are aligned with the government fiscal year. They are issued twice each fiscal year, on or after April 1 and on or before October 1 as outlined in the Service Agreement.
2. If the child care centre is in a transition period or working through a waitlist, regional OGP financial analysts reserve the right to monitor centre enrollment for one month before adjusting payments.

3. As per the Service Agreement, an audited financial statement and Letter of Attestation verifying that funding issued through the OGP were spent in compliance with the OGP is required within 30 days of the end of the government fiscal year.
4. Both the Financial statements and Letter of Attestation, must be prepared by an independent third party with a financial delegation, such as a CPA, demonstrating that operating grant funds were used to fund the child care centre, including that:
 - i. Child care fees were set at the published daily provincial rates.
 - ii. No additional charges were levied to parent/guardians, and/or other government departments or agencies; and
 - iii. Early Childhood Educators were remunerated for work at the current ECE Wage Grid requirements.
5. OGP funding is disbursed at the published rates applicable at the time of the signed Service Agreement.
6. Where published rates are adjusted during the Service Agreement, the Department will prepare a new Service Agreement upon receipt of the monthly Enrollment and ECE Wage Grid Statistics form.
7. Incorrect Enrollment and ECE Wage Grid Statistics forms will not be processed and may result in late payments.
8. Late Enrollment and ECE Wage Grid Statistics forms will result in late payment processing and disbursement to centres.

REFERENCE DOCUMENTS:

FINANCIAL MANAGEMENT

Policy no.: ELCD-2021-OGP-E1

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References: [ELCD-2021-OGP-F1](#)

Legislative References:

POLICY AND PROCEDURES:

Disbursements

1. Funding is disbursed via direct deposit in accordance with the dates/timelines outlined in the signed Service Agreement.
2. The Department's financial commitment is up to the approved amount in the Service Agreement.
3. Payments are disbursed at six-month intervals and are subject to adjustments and prorating where a child care centre:
 - i. is below the minimum 90 per cent child enrollment of the centre's licensed capacity for which the grant was assessed and approved.
 - ii. has voluntarily closed spaces or homerooms outside of OGP policy permissions, due to staffing or other reason within the realm of responsibility of the child care centre. Closures due to lack of staff are considered voluntary because it is within the centre's realm of responsibility due to the provision of funding for floater staff; and
 - iii. is discovered to have made erroneous charges to families or withheld salary from Early Childhood Educators ECEs and/or staff, including staff supporting inclusive practices.
4. Where payments are adjusted or prorated to reflect the non-operational spaces and days, the child care centre will be notified of the adjustment via email.

5. Due to the advancement of payments, child care centres withdrawing (including selling/closing centres) from the OGP must provide six (6) months' notice to the regional ELCD office where possible to avoid overpayments.

Audits

1. A random selection of OGP files will be audited by the Department and/or independent financial auditor each fiscal year. The audit review may include, but is not limited to:
 - i. Ensuring all financial documentation meets the requirements of the OGP, ECE Wage Grid policy and/or requirements of Federal/Provincial Agreements.
 - ii. Adherence to [Canada Revenue Agency](#) obligations.
 - iii. Parent / ECE Declaration Forms.
 - iv. Cross referencing payment of other grants within the Department (e.g., staffing grants issued through the Child Care Inclusion Program) and with other government departments (e.g., wage subsidies through the Department of Immigration and Population Growth); and
 - v. Requesting that an ELCD Inspector collect information from staff and parent/guardian verifications, the daily register and/or paystubs and make copies of the daily register and pay stubs for verification purpose.

Funding Adjustments

1. Payments may be adjusted based on the average monthly enrollment statistics and/or the number of operational hours/ days.
2. A child care service provider may request to receive the full grant amount where extenuating circumstances exist and can be verified. In such circumstances the child care service provider must submit in writing the extenuating circumstances for consideration.
3. Any approved payment adjustments will be applied to the subsequent payment.
4. At the end of the Service Agreement, a final Service Agreement review and reconciliation will be completed and any under or over payment will be issued or recovered:
 - i. Where amount owing is less than \$500, the amount will be taken off the next payment; and

- ii. Where the amount owing is \$500 or greater, the provider will be notified via email and provided with repayment options as outlined under in this section.

Overpayment

1. An overpayment is defined as an operating grant payment provided to a child care centre, where it is determined that the centre was not entitled to some or any of the funding which includes, but not limited to:
 - i. Enrollment changes (e.g., decrease in enrollment).
 - ii. The child care centre, a classroom or spaces closed for partial, one or more days.
 - iii. The centre received violations, came under investigation, or became unregulated during the contract period.
 - iv. ECEs and/or staff members were not paid for regular work days for which they were available to attend the child care centre, statutory holidays or not reimbursed for unused vacation during their employment at the centre.
 - v. Meals and snacks were not served or deemed by regional child care consultants or social workers to be of insufficient quality.
 - vi. Changes to the License such as the number of operational days, number of spaces.
 - vii. Keying errors resulting in overpayment; and
 - viii. Parent/Guardian or ECE declarations contradict information provided by the centre about fees, closures or other activities by the centre that warrant investigation.
2. Repayment of all overpayments is mandatory and may be processed through governmental collections.
3. The Department of Education will determine the amount of the overpayment and will work with the child care centre provider to develop an appropriate repayment schedule.
4. New/renewal applications and/or subsequent payments under the same or new centre licenses, will not be processed until the outstanding balance is paid or an agreement made to reduce the amount of funding owed is in place.
5. Unexpended/ excess funds paid to a child care centre throughout the year shall be applied against the subsequent year for regulated child care centres continuing with

the program. For child care centres receiving excess funds and withdrawing from the program, a repayment schedule will be established through provincial collections.

6. The child care centre may avail the following repayment options:
 - i. A credit note will be applied to recover the amount set or negotiated for repayment from one or more upcoming payments from any of the following programs:
 - a. OGP, where the centre continues to participate.
 - b. Wage Grid.
 - c. Child Care Capacity.
 - d. Subsidy.
 - e. Inclusion; and
 - f. ELCC Quality Enhancement.
 - ii. A reduced prorated or subsequent OGP, ECE Wage Grid or other program payment may be issued.
 - iii. A cheque issued to the Exchequer of Newfoundland and Labrador for the amount owing.
 - iv. Reimburse or issue credits to families for erroneous charges; and
 - v. Top up under payment of salaries to employees.
7. Additional steps will be taken to recover the overpayment should the child care centre provider refuse to pay the outstanding amount. All payments through the OGP will be suspended until repayment has been issued or a repayment plan has been agreed upon. Where repayment has not been received or a repayment plan has not been agreed upon, information regarding overpayment will be sent to the Government Accounting Division of the Treasury Board Secretariat for collections services.
8. Where an overpayment has been created because of an error or omission by Departmental personnel, the overpayment is valid and must be recovered.

Underpayment

1. An underpayment refers to operating grant funding that was issued at a lower amount than the child care centre was eligible for, this includes, but not limited to:

- i. Grants being initially approved at a reduced licensed capacity.
 - ii. Enrollment changes (e.g., increase in the number of children attending).
 - iii. Changes in the number of operational days and/or type of service provided (e.g., A school age program providing full day child care for more than 20 days, preschool or toddler programs offered in school age rooms while the children are at school); and
 - iv. Staffing changes resulting in employment of ECEs eligible for higher ECE Wage Grid salaries.
2. Upon receipt of a [Change in Circumstance Form](#) within required timeframes, the Department will determine the amount of the underpayment and will issue a payment for the amount owed to the child care centre.
3. Where a child care service provider is owed money from an underpayment also owes a debt to the Crown, the money owing to the Crown may be recovered from the money owing and the remainder, if any, shall be paid to the child care service provider.

No Payment

1. Payment(s) will be withheld in the following situations until a resolution is found and outstanding issues are resolved. Situations include but are not limited to the child care centre:
 - i. Reduces or ceases operations.
 - ii. becomes unregulated.
 - iii. is under investigation or a complaint has been received alleging one or more terms and conditions of the OGP, ECE Wage Grid or affiliated policies have not been met.
 - iv. Withdraws prior to the start of a new service agreement; and
 - v. Experienced fluctuations in actual enrollment that did not reflect the numbers projected at the point of renewal or initial application.

False Pretenses

1. A Licensee/child care centre shall not on behalf of themselves or another person:
 - i. Knowingly seek OGP or ECE Wage Grid allotments that they are not entitled to receive.

- ii. Aid or abet another person in applying for, obtaining, or receiving OGP funding for which the person is not eligible.
 - iii. Retain funds received in error.
 - iv. Provide false or misleading information in relation to the OGP to the Department of Education; and
 - v. Retain ECE Wage Grid funding intended for employees, statutory holiday pay, vacation pay, or any other wages intended for staff.
2. Where a person has obtained OGP funding under false pretenses, a referral will be made by the Regional Manager to the Director of Accountability and Reporting, for follow up by the Departmental Controller.
3. A Licensee/child care centre who has committed fraud with respect to the OGP, ECE Wage Grid funding and/or any other funded programs under ELCD is guilty of an offence and shall repay the funding to the OGP, distribute the wages to staff that were inappropriately withheld or return inappropriate fees to parents/guardians.
4. Where a Licensee/ child care centre has obtained an operating grant or ECE Wage Grid funding under false pretenses, or for non-operational days outside the terms and conditions set out in this policy or the Service Agreement, an investigation will take place. More information on investigations can be found in section [ELCD-2021-OGP-F1](#) of this Manual.
5. Any change in operational circumstance must be informed to the Department within fourteen days of the change to determine if OGP or ECE Wage Grid eligibility continues.

Termination

1. The Department may, at any time, by notice to the client, cancel the Service Agreement if, in the opinion of the Department, the Licensee and/or Child care Centre failed to meet or comply with one or more of the terms and conditions of the Service Agreement, OGP policies, ECE Wage Grid or affiliated policies. The decision will be communicated to the child care centre in writing and a repayment arrangement will be established with the child care centre where required.

REFERENCE DOCUMENTS:

- Change in Circumstance Form
[Fillable-Amendment-or-Change-in-Circumstance-Form-2022-10-20.pdf](#)
[\(gov.nl.ca\)](#)
- Canada Revenue Agency
[Canada Revenue Agency - Canada.ca](#)

COMPLAINTS AND INVESTIGATIONS

Policy no.: ELCD-2021-OGP-F1

Effective Date: January 1, 2021

Date Revised: April 1, 2024

Policy Cross References: [ELCD-2021-OGP-E1](#)

Legislative References:

POLICY AND PROCEDURES

Complaints and Investigations:

1. Child care centres participating in the OGP must comply with the policies, procedures and terms and conditions of the program as outlined in their signed Service Agreement and this manual.
2. When the Department receives a complaint regarding a child care centre participating in the OGP, an investigation will be initiated. The investigation will include an audit as outlined in section [ELCD-2021-OGP-E1](#) of this manual and the following information will be collected and/or copied:
 - i. Daily Registers.
 - ii. Employee paystubs.
 - iii. Staff and parent/guardian verifications; and
 - iv. Declaration forms.
3. Where the Department receives a complaint or concern, the process will be as follows:
 - i. Where possible, the Department will protect the anonymity of the complainant when requested to do so.
 - ii. The complainant will be invited to complete a declaration form; and

- iii. The Department will assess complaints to determine if a breach of the terms and conditions of the OGP policies, regardless of intentionality, have occurred and whether an investigation into the complaint is warranted.
4. Investigations will be conducted where complaints related to one or more of the following situations are received. They include, but are not limited to:
- i. Charging and collecting fees, levies, and/or other surcharges not permitted by child care services participating in the OGP during the hours that the service is regulated.
 - ii. Providing inadequate notice to the Department of any significant changes that impact funding where notice could have been provided (e.g., increases/decreases in enrollment, number of operational days/hours).
 - iii. Providing false or inaccurate information.
 - iv. Termination of registrations/enrollments that are a result of being targeted, bullied, harassed, intimidated or other violation of Human Rights; and
 - v. Other situations as deemed necessary by the Director of Accountability and Reporting.
5. Where the Department receives a complaint that one or more of the terms and conditions has been breached, the child care centre's participation in the OGP may be suspended and/or the disbursement of the next scheduled payment may be withheld until the complaint or violation has been satisfactorily resolved.

REFERENCE DOCUMENTS:

Glossary of Terms

Term	Definition
Chartered Professional Accountant (CPA)	Chartered Professional Accountant is the professional designation which unites the three Canadian accounting designations that previously existed: Chartered Accountant, Certified General Accountant Certified Management Accountant. CPAs plan, organize and administer accounting systems for individuals and establishments.
Child Care Centre	A child care centre is a facility in which a child care service is operated. Centres that do not meet the regulatory exemption requirements must be licensed before they can operate.
Commercial Child Care	A child care service run and operated by a for-profit business.
Credit Note	A method of recuperating funds from a child care service due to an overpayment.
Cultural or Religious Significance	A day in which a religious observation is held or a day that celebrates the culture of a particular nation, people, or other social group.
Daily Rates	Daily rates are set based on part- or full-time equivalents and the age range of the children enrolled in a centre. The rate is not based on the child's chronological age, but in accordance with legislation and licensing requirements. For example, if a centre is licensed for an overall age range of toddler to school age and is permitted to enroll children under the age two, then the OGP Toddler rate is applied.
Designated Holidays	Paid holidays scheduled by the Employer or as prescribed by an OGP Service Agreement or collective agreement. Employee vacation days or vacation pay are not to be used.
ECE Wage Grid	A stepped salary scale for ECEs based on levels of certification as identified by an active AECENL child care services certification.
Hours of Operation	The hours that a child care service operates as stated on the Child Care License.

Human Rights Act	The Human Rights Act prohibits discrimination based on race, language, colour, nationality, ethnic origin, social origin, religious creed, religion, age, disability, disfigurement, sex, sexual orientation, gender identity, gender expression, marital status, family status, source of income and political opinion. The Human Rights Act is legislated inclusivity and is applicable to child care centres.
Inclusive Child Care	Inclusive child care means that children of all abilities and diversities have equitable access to quality child care programs and are supported in learning through play along with their peers. Inclusive child care supports the individual strengths and abilities of each child to participate meaningfully in all aspects of the child care day.
Involuntary Closure	Closures are caused by events that create unsafe conditions for children, families, and staff. For example, failure of infrastructure such as burst pipes, power outages, water shutoffs. Involuntary closures may be known in advance due to forecasts. The cause of the closure is outside the realm of responsibility of child care services.
Not for Profit Child Care	These are services to a community for a purpose other than generating a profit, including publicly delivered child care operations. Providers/operations may generate a profit, but the surplus earnings, or other resources, are directed towards improving child care services (for example, improving family or child well-being or development) rather than distributed for the personal benefit of owners, members, investors or to enhance asset growth – listed in the Canada-Wide Early Learning Agreements.
Parent/Guardian Verification	Written statement/form provided by a parent or guardian that verifies or contests a statement or information provided by the child care service operator, licensee, or administrator. The statement /form may be solicited or unsolicited.
Part-Time	Part-time care is four or less consecutive hours.
Professional Development / Learning	Gaining new skills through continuing education and career training after entering the workforce.

Service Agreement	A legal document that lays out the conditions surrounding the transfer of operational funding from government to child care centres.
Statutory Holidays	New Year's Day, Good Friday, Easter Sunday (if operational on that day), Victoria Day, Memorial/Canada Day, Labour Day, Truth & Reconciliation Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day, and a civic holiday (e.g., Regatta Day) as fixed by the municipality's council.
Unplanned School Closures	School closures that are unexpected due to weather, or failure of infrastructure such as burst pipes, power outages or water shutoffs.
Voluntary Closure	A closure within the realm of responsibility of a child care service which makes a space, homeroom, or child care service inaccessible to children and families. Situations within the realm of responsibility of a service include but is not limited to maintaining the appropriate number of staff to meet legislative requirements or closures due to small numbers of families requiring care. Voluntary closures may be planned or unplanned.

Appendix A

Approved Community Organizations for Anti-bias Training, Materials & Resources

Association of New Canadians

<https://ancnl.ca/>

Autism Society of NL

<https://asnl.ca/>

Autism Speaks Canada

<https://www.autismspeaks.ca/>

Black Health Alliance

<https://blackhealthalliance.ca/>

Black Lives Matter Canada

<https://www.blacklivesmatter.ca/>

Canadian Hard of Hearing Association

<https://www.chha-nl.ca/>

Crow Kinship Consulting

<https://www.instagram.com/crowkinshipconsulting/>

Diversity NL

<https://diversitynl.com/>

Easter Seals

https://www.easterseals.com/dfv/?gad_source=1&qclid=Cj0KCQjw2PSvBhDjARIsAKc2cgMzYjSd90foX46FlaxkKt-XkvK4FRL5MMO_Ovwo8BFDoLhNKcq389waAk-9EALw_wcB

EGALE Canada

<https://egale.ca/>

Empowered Parents

<https://www.empoweredparentservices.com/>

First Light

[First Light | Newfoundland and Labrador \(firstlightnl.ca\)](https://firstlightnl.ca/)

Human Rights Commission

[Human Rights Commission - Newfoundland and Labrador \(thinkhumanrights.ca\)](https://thinkhumanrights.ca/)

National Centre for Truth and Reconciliation
<https://nctr.ca/about/history-of-the-trc/trc-website/>

Quadrangle NL
<https://www.thequadnl.com/>

Relationships First
<https://www.rfnl.org/>

Rick Hansen Foundation
https://secure.rickhansen.com/f/onlinedonation?gad_source=1&gclid=Cj0KCQjw2PSvBhDjARIsAKc2cgOhWgfYgJvkJBWhJ91fLPL9Jn7nSvDZ2IT-VtuTm_J5VsgUdid65acaAq5XEALw_wcB

Status of Women
<https://pacs.w.ca/>

Trans Support NL
<https://tsnl.org/training-options/>

Violence Prevention
<https://violencepreventionae.ca/lgbt/>

YWCA St. John's
<https://www.ywcastjohns.com/>