

Bill 35, the Education and Childcare (Securing Parental Involvement) Statutes Amendment Act, 2026 – Childcare

Overview

Alberta's government is proposing amendments to the *Early Learning and Child Care Act* to strengthen government oversight of licensed childcare, while improving parent notification and transparency.

Supporting safe, high-quality care

Strengthening government oversight of licensing and certification processes

This bill would strengthen government oversight when issuing or renewing childcare licences and certifying early childhood educators:

- Allow additional licence application and renewal requirements related to the applicant's relevant operating experience, financial capacity and compliance history with other regulatory bodies.
- Add grounds to refuse to issue or renew a licence when an applicant does not meet those new requirements or when proposed service capacity is inconsistent with local demand and existing childcare capacity.
- Allow the licensing team to decline to consider a facility-based licence application, aligning with existing authority for family day home agency applications.
- Enable regulations to establish further conditions that must be met before a facility-based or family day home agency licence is issued or renewed.
- Enable the certification team to add terms to childcare certifications, including expiry dates and renewal requirements.

Helping licensing staff carry out their work

To ensure licensing staff have the support and flexibility they need to monitor the sector effectively and respond quickly to concerns, this legislation would:

- Add protection from civil liability for the childcare licensing team (the statutory director and government employees) acting in good faith while carrying out duties under childcare legislation and regulations.
- Enable inspection and monitoring by electronic means (e.g. videoconference) which, in practice, will take place only in limited cases, such as when a quick response is needed and an in-person visit is not immediately possible.

Allow electronic (virtual) methods to support earlier safety planning and parent notification until an in-person visit can take place.

Strengthening parent and public notification

Proposed changes would require licensed facility-based providers and family day home agencies to inform all families of compliance issues and enforcement actions, including administrative penalties and any changes or conditions affecting their licences (e.g. probationary licences, cancellations, changes to the number or age of children they can serve). If directed by Alberta's childcare licensing team, providers would also need to post information at the program about critical incidents that warrant safety plans, including potentially criminal allegations like child abuse or neglect, and notify all families using methods such as email or mobile applications. They would also need to separately notify families as soon as possible if their children were directly affected by a critical incident.

The amendments would authorize the licensing team to notify families directly in cases where providers are unable or unwilling to do so and to collect personal information necessary to carry out that notification.

These changes include a new requirement for family day home agencies to share inspection, monitoring and safety plan information with affected programs and families if directed to do so by Alberta's childcare licensing team.

Defining critical incidents

The proposed legislation would clearly define “critical incident” and distinguish it from other reportable incidents. A critical incident would include:

- A child going missing or the death of a child while attending care.
- The physical, sexual or emotional abuse or neglect of a child while attending care, or an allegation of such.
- An injury to a child while attending care that results in emergency medical attention or admittance to a hospital or medical clinic.
- Police involvement related to a child attending care or the operation of a childcare program.
- An unplanned disruption of normal program operations that poses a risk to the health, safety or well-being of children.

Strengthening safety planning

Proposed changes would authorize the licensing team to require, approve, monitor and enforce safety plans or other safety measures following a critical incident. Licensed programs, including family day home agencies, would need to develop ministry-approved safety plans when directed, post them prominently on site and inform parents of the posting. The licensing team could use enforcement tools to ensure compliance, including administrative penalties.

Safety plans would focus on the type of incident and measures taken to protect children, without identifying individuals.

Clarifying incident publication practices

This legislation would clarify that the licensing team can post information about critical incidents, safety measures, inspections or monitoring on a government website where appropriate. Before publishing any information, the team would work to protect privacy interests and the integrity of any active criminal or regulatory investigations.

- Notification materials would provide high-level, non-identifying information and emphasize safety measures rather than allegation details.
- Public critical incident notices would continue to be assessed on a case-by-case basis before being published. Not every critical incident would be publicized.

Resolving administrative issues (housekeeping)

To support clearer processes and fix administrative issues, the bill would:

- Clarify that facility-based licence holders must post notices of administrative penalties and inform parents when a penalty is issued.
- Allow administrative penalties to be delivered electronically.
- Clarify appeal timelines for licensing decisions.
- Clarify legislative authorities and streamline internal processes.

Next steps

If passed, the proposed changes would come into force upon proclamation and would take effect March 1, 2027. Alberta Education and Childcare would provide information sessions to childcare providers ahead of time, and would update documents and program materials to align with the changes.