

# BILL C-35: INCLUSIVE CHILD CARE MUST BE INTERSECTIONAL

## WRITTEN SUBMISSION

DAWN Canada

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DisAbled Women's Network  
Réseau d'action des femmes handicapées


## ABOUT THE DISABLED WOMEN'S NETWORK OF CANADA (DAWN-RAFH CANADA)

DisAbled Women's Network (DAWN-RAFH) Canada is a national, feminist, cross-disability organization whose mission is to end the poverty, isolation, discrimination and violence experienced by women and gender diverse people with disabilities and those who are Deaf. DAWN-RAFH is an organization that works towards the advancement and inclusion of women and girls with disabilities and Deaf women in Canada. Our overarching strategic theme is one of leadership, partnership and networking to engage all levels of government and the wider disability and women's sectors and other stakeholders in addressing our key issues.

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## INTRODUCTION

DAWN Canada is in support of Bill C-35. We support its human right approach and are hopeful that this Bill fully supports the inclusion of diverse children, including children with disabilities and those with diverse needs, in early learning and childcare (ELCC) and in their communities. Recent Canadian research reports a lack of universal access to early education for children with disabilities,<sup>1</sup> which is mandated under the Convention on the Rights of Persons with Disabilities. The Canadian government has committed to funding a national child care plan, we are concerned with the little attention has been paid to articulating a plan for this child care to be inclusive of disabled children, and no consideration has been made of the importance of other early childhood services in funding or planning a national system. The provision of inclusive and high-quality early childhood education promotes gender equity and benefits everybody, including children, families, schools, and communities. Canadian and international studies unanimously indicate that children who attend inclusive and high-quality early childhood education centers require less special education needs and interventions, experience a smoother transition and readiness to school, and have better developmental outcomes, and that this is especially true for children with complex needs.<sup>2</sup> Inclusive child care also promotes greater acceptance and understanding of diverse needs as they will be exposed early to an integrated environment supporting all children.

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<sup>1</sup> Underwood, K., Frankel, E., Spalding, K., & Brophy, K. (2018). Is the right to early intervention being honoured? A study of family experiences with early childhood services: English. *Canadian Journal of Children's Rights/Revue canadienne des droits des enfants*, 5(1), 56-70.

<sup>2</sup> Philpott, D. F., Young, G., Maich, K., Penney, S. C., & Butler, E. (2019). *The preemptive nature of quality early child education on special educational needs in children*. Faculty of Education, Memorial University of Newfoundland and Labrador, St. John's, NL.

## **PARAMETERS FOR INCLUSIVE CHILD CARE**

While we applaud the Government of Canada's commitment to inclusive child care, we advocate for strong parameters of inclusion that center disability inclusion, along side the inclusion of other historically marginalized groups, such as Black, Indigenous, and racialized families, immigrants and refugees, families living with low-income or in poverty, and 2SLGBTQIA families. We draw from Philpott and colleagues (2019) to advocate that inclusive child care should be explicitly associated to the following parameters: strong curriculum frameworks delivered in play-based pedagogy, small groups and high staff-to-child ratios, adherence to health and safety policies, highly trained and well-compensated staff, and fully accessible physical environments.<sup>3</sup> Moreover, staff shortages remain an important challenge to providing inclusive child care, as they lead to high turn overs of staff, high child-to-staff ratios, and inadequate training.<sup>4</sup> Lack of funding of early childhood education centres and daycare disproportionately impacts children who live in low socioeconomic conditions. The national legislation must ensure that funding should be connected to the implementation of these inclusion parameters.

## **INCLUSIVE CHILD CARE MUST SUPPORT ACCESS FOR MOTHERS WITH DISABILITIES**

What is missing from Bill C-35 is an explicit focus on facilitating access to inclusive child care for parents with disabilities. The concept of inclusion must support the experience of mothers and parents with disabilities, as well as those parents, guardians, and other caregivers experiencing most barriers to accessing child care, such as immigrant and refugee parents, and parents living with low income or poverty. Mothers with disabilities face increased and specific stressors related to parenting, as they are more likely than women without disabilities to be lone parents,<sup>5</sup> generally live

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<sup>3</sup> Philpott, D. F., et al. 2019.

<sup>4</sup> Philpott, D. F., et al. 2019.

<sup>5</sup> Burlock, A. (2017). *Women with Disabilities*. Statistics Canada.  
<https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/14695-eng.htm>

with lower incomes<sup>6</sup> and more likely to live in financial insecurity, and more likely to be involved with the child protection system.<sup>7</sup> What is more, they continue to face greater barriers to employment and career advancement, including discriminatory attitudes based on sexist, ableist and other intersecting beliefs, inadequate provision of workplace accommodations, pressure to comply to workplace activities detrimental to health, and communications barriers.<sup>8</sup> Because access to early childcare services is recognized to support women's employment retention and progression,<sup>9</sup> it should be prioritized for mothers with disabilities who face some of the greatest barriers to employment. The national legislation must implement priority mechanisms for those families who face greater barriers to parenting, financial security, and employment, including mothers and parents with diverse disabilities.

Furthermore, parents with disabilities must be prioritized in accessing childcare close to where they live because of the significant transportation barriers that they face. It is also essential that mothers with disabilities have access to childcare that is served through public transit, as over 20 percent of women with disabilities use public transit, and that number is even higher for those who live in low-income, who are

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<sup>6</sup> Statistics Canada. (2023). *Poverty and low-income statistics by disability status* [dataset]. <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1110009001&pickMembers%5B0%5D=1.1&pickMembers%5B1%5D=5.3&pickMembers%5B2%5D=4.1&pickMembers%5B3%5D=3.3&cubeTimeFrame.startYear=2020&cubeTimeFrame.endYear=2021&referencePeriods=20200101%2C20210101>

<sup>7</sup> Milne, Kendra. (2016). *High Stakes: The impacts of child care on the human rights of women and children*. West Coast LEAF. Available at: <https://www.westcoastleaf.org/our-publications/high-stakes-impacts-child-care-human-rights-women-children/>

<sup>8</sup> Grand'Maison, V., Oluwatomisin, A., & Lyons-MacFarlane, M. (2023). *An Intersectional Analysis of the Employment Journey of Women and Gender-Diverse People with Episodic Disabilities*. DAWN Canada.; Rajan, D. (2021). Serious Problems Experienced by Diverse People with Disabilities: Western Canada—A Qualitative Study. *The Institute for Research and Development on Inclusion and Society (IRIS)*; Maroto, M. L., Pettinicchio, D., & Lukk, M. (2021). Working differently or not at all: COVID-19's effects on employment among people with disabilities and chronic health conditions. *Sociological Perspectives*, 64(5), 876–897.

<sup>9</sup> See, for example, Smith, J. (2022). From “nobody's clapping for us” to “bad moms”: COVID-19 and the circle of childcare in Canada. *Gender, Work & Organization*, 29(1), 353-367.; Fuller, S., & Qian, Y. (2021). Covid-19 and the gender gap in employment among parents of young children in Canada. *Gender & Society*, 35(2), 206-217.

Black, Indigenous, and racialized.<sup>10</sup> Moreover, transportation is already a considerable barrier for people with disabilities looking for work,<sup>11</sup> a barrier that is further exacerbated if daycare is not near their residence or public transit. Parents using specialized transportation face specific and heightened barriers, including booking availability, unreliability, and safety issues.<sup>12</sup> This means that parents using specialized transportation may not be able to travel to the childcare facility on short notice.

Bill C-35 recognizes that inclusive child care provides for flexible child care provision in order to facilitate access to historically disadvantaged families. There should be explicit parameters attached to the notion of flexibility, such that there should be a commitment to funding and providing resources to licensed early learning and child care facilities that cater to part-time workers and parents with atypical schedules. This is especially essential to ensure access to child care for mothers with disabilities, as well as immigrant parents and 2SLGBTQIA families, who are more likely to work part-time or have atypical schedules. Moreover, safeguards must be implemented at the national level to make sure that families request part time or atypical schedules are not de-prioritized. For example, Japel and Friendly (2019) identified that, in Quebec, most ELCC centres cannot meet policy-mandated part-time enrollment to children of families on social assistance due to limited spaces or priority given to full-time enrollment.<sup>13</sup>

Finally, we want to emphasize that there exist no systemic data collection on the number and proportion of children with disabilities attending ELCC, or children of mothers and parents of disabilities attending ELCC. We found no recent Canadian

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<sup>10</sup> Burlock, A. (2017). *Women with Disabilities*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/14695-eng.htm>

<sup>11</sup> Choi, R. (2021). *Accessibility Findings from the Canadian Survey on Disability, 2017*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/89-654-x/89-654-x2021002-eng.htm>

<sup>12</sup> DAWN Canada. (2019). *More Than a Footnote: A Research Report on Women and Grls with Disabilities in Canada*. [https://dawnCanada.net/media/uploads/page\\_data/page-64/more\\_than\\_a\\_footnote\\_research\\_report.pdf](https://dawnCanada.net/media/uploads/page_data/page-64/more_than_a_footnote_research_report.pdf)

<sup>13</sup> Japel, C., & Friendly, M. (2018). Inequalities in access to early childhood education and care in Canada. *The Equal Access Study. ICEC Working Paper Series, 1*.

research or data on barriers and facilitators in ELCC for mothers, parents, guardians, and caregivers with disabilities.

## **PERSISTENT ABLEISM IN ELCC**

Systemic ableism in ELCC and connected systems (education, healthcare, etc.) remains persistent and impact the meaningful inclusion of children with disabilities. In a Canadian study (Van Rhijn et al., 2019), parents experienced active exclusion from early childhood educators and staff, and connected services, that expressed that not all children belong in programs or were entitled to accommodations. Parents described staff not trained or comfortable using specific equipment.<sup>14</sup> Parents in Belgium were more likely to enroll their child with a disability to a special education setting because they feared that the school staff could not meet the needs of their child and that the child would be the target of bullying and exclusion.<sup>15</sup> This is highly problematic as it entrenches the exclusion of children with disabilities in society. There needs to be a commitment to dismantling ableism in ELCC, starting from approaching disability not as a deficit of the person, but as a relationship to the environment, including programs and services.

ELCC plays a uniquely important role in shifting attitudes towards disability and for promoting the meaningful inclusion of children with disabilities or families with disabilities in society. Canadian research conducted by Professor Kathryn Underwood highlights that the inclusion of children with disabilities in ELCC depends on family's socio-economic status, ability to access a medical diagnosis for their child and to navigate complex health and social services.<sup>16</sup> Rather, research makes clear that

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<sup>14</sup> van Rhijn, T., Underwood, K., Frankel, E., Lero, D. S., Spalding, K., Janus, M., Friendly, M., & Haché, A. (2021). Role of child care in creating inclusive communities and access for all. *Canadian Public Policy*, 47(3), 399–409.

<sup>15</sup> De Schauwer, E., Vandenbussche, H., & Van Hove, G. (2023). 'Everything is there, but they don't bring it to your front door...' An analysis of the perception of early childcare by parents of children with disabilities. *European Early Childhood Education Research Journal*, 31(1), 64-74.

<sup>16</sup> Underwood, K., Frankel, E., Spalding, K., & Brophy, K. (2018). Is the right to early intervention being honoured? A study of family experiences with early childhood services: English. *Canadian Journal of Children's Rights/Revue canadienne des droits des enfants*, 5(1), 56-70.

children with disabilities have better outcomes if interventions are embedded in inclusive ELCC, through the social model of disability that recognizes that disabilities are created by barriers in the environment.<sup>17</sup> It follows supports and services for children with disabilities should not be dependent on medical diagnoses or anchored in medical understandings of disability, instead through support differences among children, such as in universal design.<sup>18</sup>

## RECOMMENDATIONS

1. Prioritize access to ELCC for parents, guardians, and caregivers with disabilities, close to where they live.
2. Mandate accessibility for all ELCC centres are to families who live with disabilities.
  - a. Infrastructures and programs must be accessible to children with a wide range of disabilities and to parents, guardians, and other caregivers living with disabilities.
  - b. Accessibility must be extended to all administrative processes involved in enrolling and ensuring proper services a child in ELCC. This includes provision of information in accessible formats, plain language, as well as LSQ and ASL.
3. Implement disaggregated data collection on the accessibility of ELCC for children with disabilities as well as for parents, guardians, or caregivers with disabilities.

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<sup>17</sup> Brown, S. E., & Guralnick, M. J. (2012). International human rights to early intervention for infants and young children with disabilities: Tools for global advocacy. *Infants and young children*, 25(4), 270.; Odom, S. L., Buysse, V., & Soukakou, E. (2011). Inclusion for young children with disabilities: A quarter century of research perspectives. *Journal of Early Intervention*, 33(4), 344-356.; Purdue, K. (2009). Barriers to and facilitators of inclusion for children with disabilities in early childhood education. *Contemporary Issues in Early Childhood*, 10(2), 133-143.

<sup>18</sup> Underwood et al. (2018).



- a. This data must follow GBA+ principles, understanding that families experience multiple and overlapping barriers to ELCC.
  - b. Bill C-35 must make explicit monitoring, evaluation, and accountability mechanisms that meaningfully involve families historically excluded from ECECs, namely families of children with disabilities, parents with disabilities, immigrant families, Black and racialized families, and low-income families. These mechanisms must be developed and implemented through collaborative processes between families and children, ECEC providers, as well as federal, provincial, and territorial governments.
    - i. We recommend that data collection and accountability mechanisms follow the Government of Canada's Indigenous Early Learning and Child Care Framework, which stipulates the need for strong mechanisms of documentation, data collection, and performance measurements that are Indigenous-led.
4. Implement mandates and supports for ECECs to be able to offer part-time child care provision and flexible hours.
    - o The concept of flexible child care should be attached to parameters that ensure accessibility for parents working part-time or atypical schedules.
  5. Meaningfully engage mothers, parents, guardians, or caregivers with disabilities in the National Advisory Council on ELCC as they provide a unique and necessary perspectives on issues related to inclusive ELCC.

