

Policy Brief

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Regulating Outdoor & Land-based Programs as Early Learning and Child Care

Context

The Canada-wide Early Learning and Child Care (CWELCC) system is evolving as demand for high-quality, affordable spaces grows across the country. Outdoor and Land-Based Programs (OLBs) provide a unique opportunity to expand access to Early Learning and Child Care (ELCC), advancing healthy child development, early learning, equity, environmental stewardship, and reconciliation.

Currently, OLBs are not yet regulated or licensed as independent programs¹ due to regulatory frameworks designed around facility-based care models, which make it challenging to accommodate outdoor and land-based approaches. As a result, efforts to license OLBs within existing frameworks often feel like forcing a square peg into a round hole.

Without regulation, these transformative programs are excluded from the CWELCC system and remain inaccessible to many families, perpetuating inequities and denying benefits and opportunities to children.

Opportunity

Provincial and Territorial governments can exercise their jurisdiction over ELCC to develop a distinct regulatory category and licensing process for OLBs, separate from existing centre-based, home-based, and home agency-based care.

What are Outdoor and Land-Based Programs?

An Outdoor and Land-Based Program (OLB) is a model of ELCC that

- **operates primarily outdoors/on the Land** for most of the scheduled day, in an unfenced natural space, in all weather and all seasons (except for during extreme weather), and
- **is delivered by specially trained and qualified staff**, guided by a philosophy of *outdoor and Land-based learning*², and aligned with the provincial/territorial early learning framework.

To ensure safety and quality, OLBs operate with high educator-to-child ratios and safety standards, adapt health and hygiene practices to the outdoors, and maintain access to shelter for periodic use.

1 Anecdotally, a small number of OLBs have begun to operate with regulatory exemptions in a few jurisdictions, but none are currently regulated as a distinct program.

2 The term, outdoor and Land-based learning, is intended to inclusively embrace both non-Indigenous outdoor play-based and Indigenous Land-based approaches to early learning across diverse outdoor environments, while honoring the local Indigenous Lands and Peoples on which this learning takes place. For a comprehensive exploration of this concept, refer to *More Than a New Course: A Framework for Embedding Outdoor and Land-Based Pedagogies in Post-Secondary ECE Programs*, published by the Lawson Foundation in June 2024. Available at: <https://lawson.ca/MoreThanANewCourse.pdf>

What are the Benefits of Outdoor and Land-Based Programs?

OLBs support healthy child development and offer an ideal context for early learning, while also advancing Truth and Reconciliation.

1. OLBs promote holistic child development.

- **Physical health and motor development:** OLBs increase physical activity, reduce sedentary behaviour, and support both gross and fine motor development.¹ They also build confidence, resilience, and physical literacy through appropriate risk-taking.²
- **Social-emotional well-being and cognitive development:** Learning in outdoor environments helps children self-regulate, reduce stress, and foster social skills, strengthening emotional well-being.³ The freedom to move and the calming influence of nature create conditions that support the development of executive functions and other key cognitive skills.⁴

2. OLBs offer unique experiences that strengthen early learning.

Regulating OLBs will expand access to high-quality ELCC spaces under the CWELCC system.

- **Natural curiosity:** Outdoor learning nurtures children's innate curiosity and sense of wonder, fostering play, exploration, and inquiry.⁵
- **Connection to nature, environmental awareness, and climate literacy:** Through meaningful and repeated experiences in nature, children develop a deep connection to the environment and a lasting appreciation for the natural world.⁶ These early relationships lay the foundation for environmental awareness, support emerging understandings of sustainability, and help prepare children to navigate and respond to the realities of a changing climate.⁷
- **Opportunities for meaningful risk-taking:** OLBs provide increased opportunities for risky play⁸, a key form of free play which is an essential aspect of healthy child development.⁹ In OLBs, children learn to assess and manage risk, develop body awareness, physical literacy and self-efficacy, and practice consent—skills they apply and retain in other contexts.¹⁰

3. OLBs help advance Truth and Reconciliation, specifically Call to Action #12.

- **Land-based learning for First Nations, Inuit, and Métis Peoples** is an essential part of developing culturally appropriate early learning programs for Aboriginal families.^{11,12}
- **For non-Indigenous educators and children**, OLBs provide meaningful opportunities to learn about Indigenous ways of knowing, being, and doing, fostering reconciliation.¹³

Why Regulate: A Practical and Timely Way to Support CWELCC Goals

1. Enable and support an outdoor and Land-based model of ELCC.

Government regulation—developed in collaboration with diverse OLB experts—is needed to articulate common safety and quality standards to address the distinct safety, hygiene, and pedagogical practices of OLBs. Regulation will drive related changes in educator competencies and certification, as well as professional learning and accreditation.

- Outdoor and Land-based early learning is growing quickly in ELCC practice,¹⁴ outpacing the evolution of policy and training pathways.^{15,16}

- Without government involvement, there are no assurances regarding safety or quality in unlicensed programs, nor when licensed ELCC programs go beyond the fence to nearby nature. Practice without guidelines potentially puts participating children at risk. It is time for governments to play their enabling role by providing leadership, support, and oversight.
- Currently, OLB knowledge and skills are not widely taught in post-secondary Early Childhood Education (ECE) programs.¹⁷ While professional learning in OLB practice exists (e.g., Forest School Canada Practitioners Course, local training providers), they are not formally recognized or necessarily aligned with early childhood educator certification. Certification bodies face challenges in delivering or approving comprehensive training that does not align with existing regulations. New regulations would unlock the ability of post-secondary and professional learning institutions to develop and deliver high-quality, aligned training for OLB programming.
- Distinct regulations shift the paradigm from licensing a facility to licensing a program, ensuring alignment with the unique realities of outdoor practice.

2. Expand access to high-quality ELCC spaces.

Regulating OLBs will expand access to high-quality ELCC spaces under the CWELCC system.

- Hundreds of unlicensed OLBs currently operate across Canada, driven by strong demand from both families and providers. With regulation and CWELCC funding, new ELCC spaces could be activated and filled. For example, in Ontario, a conservative estimate suggests that nearly 500 OLB ELCC spaces could be activated among existing interested providers.¹⁸
- In small, rural communities, OLB regulation offers a high-quality option for ELCC delivery. These areas often need fewer ELCC spaces, have easy access to outdoor environments, and may benefit from more flexible, cost-effective delivery models instead of investing in new indoor infrastructure.

3. Increase equity within ELCC offerings.

Regulating OLBs will help expand access to high-quality ELCC spaces for children from equity-deserving communities who face multiple barriers to outdoor learning opportunities.¹⁹

- Currently, unlicensed OLBs are costly and inaccessible for many families. Regulation would enable these programs to become part of the \$10/day CWELCC system, making them more affordable. It would also unlock public funding to support the inclusion of children with special needs, who may otherwise be excluded.
- Part-time, unlicensed programs often do not meet the needs of working families. Regulation would enable stable, flexible part-time and full-time options, improving equitable access to outdoor early learning.

4. Strengthen and diversify the ELCC workforce.

Regulating OLBs will support healthy, fulfilling careers for early childhood educators—helping to address the workforce recruitment and retention crisis that threatens the quality and expansion of the CWELCC plan.²⁰

- Educators, like children, reap health benefits and experience joy when teaching and learning outdoors. Careers in regulated OLBs can reduce burnout, promote well-being, and re-ignite educators' passion for their work.²¹
- Moreover, OLB regulation can help cultivate a broader and more diverse pool of early childhood educators—attracting males, parks and recreation professionals, environmental educators, and others.

How Governments Can Take Action

1. Establish a cross-sectoral working group.

Form a working group within each jurisdiction that brings together First Nations, Inuit, and Métis Peoples, along with non-Indigenous experts in OLB practice, ELCC policy and implementation, public health, ECE professional learning and accreditation, insurance, parks and recreation, environmental stewardship, and other relevant fields. Take time to build a shared understanding of OLB theory and practice.

2. Learn from leading examples.

Examine Washington State's Foundational Quality Standards (WAC 110-302) as a precedent for OLB regulation. Draw on insights from *Informing the Road to Regulation*,^{22,23,24} the evaluation of Canada's first OLB demonstration project (2021–2024) at Cloudberry Forest School²⁵ in St. John's, NL.

3. Develop regulatory frameworks and educator pathways.

Draft OLB regulations under the authority of new or amended legislation. Conduct a comprehensive review of related laws. Collaborate with all affected departments or ministries, especially public health officials and licensing inspectors/officers. In parallel, define educator qualifications, accreditation pathways, and pathways to specialized training.

4. Pilot and implement regulations.

Provide training on draft regulations to prospective OLBs and regulatory officers. Pilot the new regulatory framework, monitor implementation, and conduct evaluation to inform ongoing refinement and demonstrate impact.

5. Sustain and strengthen the system.

Refine OLB regulations based on implementation feedback and evaluation results. Support long-term success through ongoing professional learning opportunities and resources, delivered in partnership with local accreditation and capacity-building organizations.

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Frequently Asked Questions

1. What is the difference between an existing licensed ELCC centre and a proposed OLB regulatory category?

Existing ELCC licences are typically facility-based, requiring a permanent building that meets specific licensing standards. By contrast, OLBs are outdoor and Land-based and do not require a conventional indoor facility. Instead, they must ensure periodic access to appropriate shelter, for example, to warm up or dry off from inclement weather or for safe refuge from extreme weather such as lightning storms or high winds.

Given the distinct nature of OLB pedagogical practices, regulations need to be based on a distinct set of safety, hygiene, and pedagogical practices tailored to outdoor learning environments, rather than adapted from traditional models that are biased towards the indoors and extreme risk aversion outdoors.

2. Could existing ELCC regulations be adapted for OLBs, as they are in parts of Europe?

Not effectively. The North American regulatory environment for ELCC tends to be more prescriptive and risk-averse than many European jurisdictions. In Canada, ELCC regulations have been developed around facility-based care and are not easily adaptable to outdoor learning contexts.

Washington State and a demonstration program in Newfoundland and Labrador explored diverse regulatory approaches for outdoor programs, but both ultimately concluded that a distinct regulatory category better supports the unique characteristics of OLBs.²⁶

3. Why are existing ELCC regulations inadequate to address OLB programming?

The distinct safety and pedagogical practices of OLBs are not reflected in existing regulations. For instance, OLBs often need a higher educator-to-child ratio and alternative health and hygiene options.

OLBs require specialized educator knowledge and skills to ensure safety and quality, which current post-secondary ECE training does not guarantee.²⁷ OLB educators

- navigate risks inherent to unfenced, natural landscapes,
- deliver outdoor first aid when needed, and
- possess knowledge of the environment and the Land.

Existing regulations permit field trips, which are not defined and do not have requirements beyond maintaining a ratio and following the program philosophy; when outdoor and Land-based learning is delivered as a regular field trip, governments overlook critical oversight of this type of programming.²⁸ Regulation and oversight are necessary to provide specific guidelines and to support promising practices to ensure quality and safety for all.

With limited public resources, investing in building and operating traditional facilities for programs that don't need them is a poor use of funds and creates unnecessary environmental impacts.

4. Why is a new regulatory framework preferable to granting licensing exemptions under existing regulations?

Exemptions bypass regulations and do not address or support the unique characteristics of OLBs. Dedicated regulations foster quality, consistency, and long-term sustainability of practice, while formally recognizing and supporting OLBs as a licensed program option.

5. Will OLBs replace traditional ELCC programs?

No. OLBs are intended to complement, not replace, the existing and evolving ELCC system, providing more program options for families. In Nordic jurisdictions—where outdoor time is culturally embedded—OLBs comprise just 5-10% of all ELCC programs.²⁹

6. How does regulating OLBs benefit centre-based ELCC?

Outdoor and Land-based play and learning are increasingly integral to all early learning programs—not just OLBs. However, existing ELCC regulations and their interpretation inhibit quality outdoor experiences in traditional programs.³⁰ Developing regulations, guidelines, and promising practices for OLBs will strengthen educator practice across the sector. Once codified, OLB standards can inform regulatory amendments for outdoor time in traditional ELCC programs for fenced outdoor play spaces and during field trips to nearby nature.

7. Can OLBs accommodate children of all abilities?

With dedicated resources and training, OLBs can adapt their outdoor spaces and their programming for accessibility and inclusion and then implement accommodations to support the needs of every child.³¹ Universal Design for Learning principles offer a framework for including all children and accommodating diverse needs.³²

OLBs offer a calming, natural environment and responsive pedagogy for all children that may have additional benefits for children with special needs.³³

Only regulation has the power to mandate accessibility and inclusion so that children of all abilities can access OLBs.

8. Are OLBs safe?

Yes. In OLBs, educators receive special training in risk benefit analysis and management outdoors, and children learn to recognize and manage risk, supporting the safety of outdoor programs.³⁴

Minor cuts and scrapes are a normal part of outdoor play and a healthy, active childhood.³⁵ Recent research in Canada revealed that children in OLBs experienced fewer minor injuries during outdoor play than children in traditional ELCC programs, even though OLBs offer more opportunities for risk-taking; moderate and severe injuries were also rare in OLBs.³⁶

9. How are health and hygiene practices adapted outdoors?

Public health departments work with OLB educators to develop health and hygiene practices appropriate to the outdoors and the local context. For example, toileting needs can be met through portable options such as port-a-potties or bucket toilets, often combined with Leave No Trace practices.³⁷ Similarly, portable handwashing stations are set up for regular use, and hand sanitizer may be used when soap and water are not immediately available.³⁸

10. What role can governments play in supporting OLBs beyond regulation?

I. CWELCC funding for start-up and operational costs

Governments can play a key role by extending CWELCC funding to support staffing and the unique infrastructure and material needs of OLB programs. These include

- access to shelter and hygiene facilities,
- outdoor gear for children and educators; and
- storage solutions (e.g., sheds for loose parts and tools).

Notably, the start-up costs for OLBs are a fraction of those for traditional ELCC facilities, while overall operational costs remain comparable.³⁹

II. Collaboration for shared use of natural spaces and infrastructure

Government at all levels—federal, provincial/territorial, municipal, and regional—can collaborate across departments responsible for ELCC, K-12 education, and parks, and with local First Nations, Inuit, and Métis communities to facilitate shared use of natural spaces and infrastructure for OLB delivery. Shared-use agreements should include

- consideration of Indigenous protocols and permissions for Land use, developed in collaboration with local First Nations, Inuit, and Métis communities.
- access to shelter during inclement and extreme weather.
- access to water and sanitation (if appropriate).
- parking and family drop-off zones.
- infrastructure supports such as clearing pathways, installing sunshades or wind tarps, and establishing stewardship responsibilities (e.g., trail maintenance, minimizing environmental impact), and
- recognition and adaptation of insurance models appropriate for OLB program operations.

Where permanent shelter infrastructure does not yet exist, purpose-built cabins, yurts, or similar structures offer cost-effective capital solutions to meet these needs.⁴⁰ In addition, public-private partnerships—including collaborations with land trusts and private landowners—can expand access to outdoor environments ideal for OLBs.

III. Support for education and training

Policymakers and regulatory officers:

- Government officials need to develop a deep understanding of the philosophy and practice of OLBs to create effective, supportive regulations and to oversee their implementation. Regulatory officers require ongoing training and support to ensure consistent and informed application of these regulations.

Educators:

- Once educator competencies and certification have been determined through OLB-specific regulations, governments can play a key role in supporting continuous professional learning. By partnering with local accreditation bodies and capacity-building organizations, governments can promote promising practices, ensure alignment with regulatory standards, and help educators build the specialized skills needed to thrive in OLBs.

Families and communities:

- Support public awareness campaigns that promote understanding and interest in OLBs, especially within Canada's diverse multicultural communities. Address common misconceptions about outdoor learning, particularly around safety and weather, and build public confidence in the value of OLBs.

Endnotes

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