

CHILDCARE PROGRAMS IN DISTRICT FACILITIES

PREAMBLE

~~The Board of Education supports the use of its property by licensed Childcare providers between the hours of 7 a.m. and 6 p.m. on weekdays, provided the property is not required for K-12 educational programs, early learning programs, or extra-curricular activities and does not disrupt or interfere with the provision of education activities.~~

The purpose of this policy is to provide guidance with respect to how the Board of Education (Board) will promote the use of board property for the provision of childcare programs between the hours of 7 a.m. and 6 p.m. on business days by either the Board or third-party licensees. The use of board property by licensed childcare providers must not disrupt or otherwise interfere with the provision of educational activities including early learning programs and extracurricular school activities.

POLICY

THE BOARD OF EDUCATION IS SUPPORTIVE OF THE POSITIVE COMMUNITY BENEFITS THAT OCCUR WHEN APPROPRIATE SCHOOL DISTRICT SPACES OR SITES ARE UTILIZED BY NON-PROFIT*, LICENSED CHILDCARE PROVIDERS.

*A corporation or an association that conducts business for the benefit of the general public without **shareholders** and without a profit motive.

Date Adopted: 2014-04
Date(s) Revised: 2021-XX

Cross References:
Statutory: *School Act, Section 85.1-.4*
Ministerial Order M326
Other:

REGULATIONS AND PROCEDURES

POLICY #7.60.01

CHILDCARE PROGRAMS IN DISTRICT FACILITIES

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~~ADMINISTRATIVE REGULATIONS AND PROCEDURES~~

OBJECTIVES

1. Maximize the positive use of school district vacant spaces or sites to serve community needs, when available.
2. **Provide** appropriate school district spaces or sites ~~to be available~~ to non-profit, licensed childcare providers ~~if conditions are met~~. **when a need is confirmed to the Board and the Board confirms space is to be made available.**

DEFINITIONS

1. In this Policy, the terms “Board property”, “business day”, “childcare program”, “educational activities”, and “licensee” have the meanings given to those terms in the School Act.
2. “Direct and indirect costs” include:
 - a. utilities;
 - b. maintenance and repair;
 - c. a reasonable allowance for the cost of providing custodial services; and,
 - d. a reasonable allowance for time school district administrators and other staff spend on matters relating to the use of Board property by licensed childcare providers.

GUIDING PRINCIPLES

1. Program Review

The Board will, on an ongoing basis, assess community need for childcare programs on Board property, through a process of engagement with employee groups, parents and guardians, Indigenous community representatives, Indigenous rightsholders, Indigenous service providers, existing district contracted childcare operators, and the City of Burnaby. The process for periodic engagement will be reviewed on an ongoing basis and shall be conducted in a manner acceptable to the Board.

2. Board Operated Childcare

If childcare programs are to be provided on Board property, the Board will consider, on an ongoing basis, whether those programs are best provided by licensees other than the Board, the Board, or a combination of both. Prior to entering into or renewing a contract with a licensee other than the Board to provide a childcare program on Board property, the Board will consider:

- a. whether it is preferable for the Board to become a licensee and operate a childcare program directly;
- b. the availability of school district staff to provide before and after school care; and,
- c. whether, with respect to a licensee seeking renewal or extension of a contract, the licensee has performed its obligations under this Policy and its contract with the Board, with specific regard to performance in respect of providing an inclusive childcare program and one that promotes indigenous reconciliation in childcare.

If the Board decides to operate a childcare program, the Board will ensure that it is operated in a manner that:

- a. fosters Indigenous reconciliation in childcare – in particular, the childcare program will be operated consistently with the following principles of the British Columbia Declaration on the Rights of Indigenous Peoples Act;
- b. recognizes Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including in the area of education;
- c. “recognizes Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories, and aspirations which shall be appropriately reflected in education”; and,
- d. is inclusive and consistent with the principles of non-discrimination set out in the British Columbia Human Rights Code.

3. Licensed Operator Childcare

In selecting licensees other than the Board to operate a childcare program, the Board through a Request for Proposal process will give special consideration to the candidates' proposals that:

- a. provide inclusive childcare;
- b. foster Indigenous reconciliation in childcare;
- c. maintain a program philosophy and management concept congruent with the values of this policy and the Board Strategic Plan;
- d. demonstrate successful experience as a licensed childcare operator;
- e. willing to offer extended hours of operation, including weekends when demand exists;
- f. are willing to opt into the Provincial Fee Reduction Initiative; and,
- g. demonstrate financial stability.

4. Program Fees

Childcare programs, if operated by the Board, will be operated for a fee no greater than the direct costs the Board incurs in providing the childcare program. Fees for the use of Board property by licensees other than the Board will not exceed the direct and indirect costs the Board incurs in making Board property available for the childcare program, as provided for in the School Act and set by the Secretary-Treasurer from time to time.

~~5. If childcare programs are operated by a licensee other than the Board, the Board will require the licensee to agree to comply with this Policy. (See 8 b.)~~

6. License to Occupy

Any contract with a licensee other than the Board, to provide a childcare program on Board property, must be in writing and subject to review no less than every two (2) years. The contract, which be in the form of a License to Occupy, must contain:

- a. a description of the direct and indirect costs for which the licensee is responsible;
- b. an agreement by the licensee to comply with this policy and all other applicable policies of the Board;
- c. a provision describing how the agreement can be terminated by the Board or the licensee;
- d. an allocation of responsibility to ensure adequate insurance is in place to protect the interests of the Board;
- e. a statement that the agreement can only be amended in writing, signed by the Board and the licensee;
- f. a requirement for the licensee to maintain appropriate standards of performance; and,
- g. a requirement that the licensee must at all times maintain the required license to operate a childcare facility.

7. Change of Property Use

The Board shall provide written notification to the Minister of Education and Child Care when the Board decides to change the use of board property that is being used for providing childcare programming.

Note: Red text that is not underlined comes from the BCSTA Childcare Policy template.

Date Adopted: 2014-04
Date(s) Revised: 2021-XX

Cross References:
Statutory: *School Act, Section 85.1-.4*
Ministerial Order M326
Other:

ADMINISTRATIVE PROCEDURES

POLICY #7.60.AP

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ADMINISTRATIVE PROCEDURE

The following procedures have been developed to assist individuals and groups who are interested in operating a licensed childcare program within an operating school district facility, or on a school site.

1. The licensed childcare provider must request in writing to the school district's Deputy Superintendent (or designate) a preliminary review to determine the feasibility of accommodating the specific request for childcare space.
2. Following an initial request to the district a preliminary review will be undertaken, to determine if the identified site can accommodate the program using the guidelines set out in **addendum A**.
3. If the preliminary review determines that a portable/modular building can be placed on the school site or that there is a space within the school that can be converted for childcare, then a formal proposal needs to be developed by the organizing group or operator. This proposal should address and provide background information to the points outlined in the district's guidelines for developing and establishing childcare programs using district facilities or grounds as set out in **addendum B**.
4. The completed proposal should be submitted to the school district's Secretary Treasurer with a copy to the district's youth and community services division.
5. The district's Buildings and Grounds Committee will consider the request and make a recommendation to the Board of Education. The organizing group/operator will be advised of the Board's decision.
6. The licensed childcare provider must sign the district's *License and Operating Agreement* and meet all of its conditions.

~~7. Rental Rates for childcare programs will be established equal to the direct and indirect costs incurred and to be incurred by the district as a result of the childcare program. Rental agreements existing as of March 14, 2013 may be grandfathered for a period of time.~~

Addendum A

- ~~• Is there a space within the school that can accommodate the proposed childcare program?
If yes, would this space meet childcare licensing regulations?
If yes, could this space be dedicated for childcare use for a minimum of five years?
If yes, could this space be shared with other school/community programs?~~
- ~~• Is there space on the school's grounds that could accommodate a portable/modular childcare building that meets licensing regulations?
If yes, would the placement of a portable/modular building significantly impact the:
a) school's instructional program?
b) school's playground and sports field?
c) safety and security of students?
d) ability of the school to expand for increased enrolment?
e) relationship with the school's neighbours?
f) the district's use of the school or site for other purposes
If yes, could the portable/modular building be shared with other school/community programs?
If yes, is there a portable building in the district's inventory that can be used for the Childcare program?~~
- ~~• Estimate the direct and indirect costs to be incurred by the district as a result of the childcare program.~~

Addendum B

- ~~• The proposal should specify that the childcare program request is for:
a) use of space within the school
b) use of a school district portable building
c) use of school grounds for the placement of "privately owned" portable/modular building~~
- ~~• If the request is for the use of a school district portable building, the proposal should clearly specify the manner and timeline in which the district will be reimbursed for all costs associated with (a) placing the portable on the grounds (b) renovating the portable to meet licensing regulations and program requirements.~~
- ~~• What kind of childcare is being considered?
a) out of school care
b) infant/toddler daycare
c) 3-5 year old care
d) pre-school program
e) special needs
f) child minding~~
- ~~• Is there a documented need for childcare services in the neighbourhood?~~
- ~~• Has a neighbourhood childcare needs assessment been conducted?~~

- ~~Will the proposed childcare program be in competition with existing Childcare services within the immediate community?~~
- ~~Does this childcare proposal have the support of:
 - a) ~~the school administrator/staff?~~
 - b) ~~the school's parent advisory committee?~~~~
- ~~Would the placement of a portable/modular childcare building on the school grounds significantly impact:
 - a) ~~traffic flow in the neighbourhood?~~
 - b) ~~parking in the neighbourhood?~~
 - c) ~~view and aesthetics of the neighbourhood?~~
 - d) ~~the school's immediate neighbours?~~~~
- ~~What would be the hours/days/months of operation?~~
- ~~Would the proposed childcare space be available for other community programs when not in operation?~~
- ~~If yes, how much time would be available for these other programs (hours/days/months)?~~
- ~~Who would be the operator of the childcare program? It should be noted that community serving childcare programs operated by not-for-profit community organizations receive priority over commercial or independent businesses who may want to operate a program in a school or on school sites.~~
- ~~What is the targeted starting date for the childcare program?~~

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