

## **CHILDCARE PROGRAMS IN DISTRICT FACILITIES**

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### **PREAMBLE**

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.

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Date Adopted: 2014-04  
Date(s) Revised: 2021-09

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

## **REGULATIONS AND PROCEDURES**

### **POLICY #7.60.01**

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### **REGULATIONS**

#### **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 non-profit, licensed childcare providers 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. 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.

**6. 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.

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Cross References:  
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Other: