



Administrative Procedure 553

CHILD CARE

Background

The purpose of this procedure is to provide guidance with respect to how the District will promote the use of Board property for the provision of child care programs between the hours of 7 am and 6 pm on business days by either the District or third party licensees.

The use of Board property by licensed child care providers must not disrupt or otherwise interfere with the provision of educational activities including early learning programs and extracurricular school activities.

There may be mutual benefit, as a service to our community, to have child care programs on Board property using spaces that are not currently required for educational activities.

Definitions

In this Administrative Procedure, the terms Board property, business day, child care program, educational activities and licensee have the meanings given to those terms in the [School Act](#).

Direct and indirect costs include:

1. Utilities.
2. Maintenance and repair.
3. A reasonable allowance for the cost of providing custodial services.
4. A reasonable allowance for time that School District administrators and other staff spend on matters relating to the use of Board property by licensed child care providers.

In addition, there are fees associated with the placement of portable buildings onto school property and there may be different fees associated with the operational nature or a portable building versus an existing classroom space. These costs will be captured in the license to occupy agreement.

Procedures

1. The District will, on an ongoing basis, assess community need for child care programs on Board property, through a process of engagement with employee groups, parents

and guardians, Indigenous community representatives, Indigenous rights holders, Indigenous service providers, municipal partners and existing child care operators. The process for engagement will be reviewed on an ongoing basis, and conducted in a manner acceptable to the District.

2. If child care programs are to be provided on Board property, the District will consider, on an ongoing basis, whether those programs are best provided by licensees other than the District, the District, or a combination of both.
3. Child care programs, if operated by the District, will be operated for a fee no greater than the direct costs the District incurs in providing the child care program.
4. Fees for the use of District property by licensees other than the District will not exceed the direct and indirect costs the District incurs in making District property available for the child care program.
5. If child care programs are operated by a licensee other than the District, the District will require the licensee to agree to comply with this Administrative Procedure.
6. In selecting licensees other than the District to operate a child care program, the District will give special consideration to the candidates' proposals to:
 - 6.1. Provide inclusive child care.
 - 6.2. Foster Indigenous reconciliation in child care.
 - 6.3. Maintain a program philosophy and management concept congruent with the values of this Administrative Procedure and the Board's Strategic Plan.
 - 6.4. Demonstrated successful experience as a licensed childcare operator.
 - 6.5. Demonstrate financial stability; and
 - 6.6. Utilize the BC Early Learning Framework to guide and support learning experiences in childcare settings.
7. If the District decides to operate a child care program, the District will ensure that it is operated in a manner that:
 - 7.1. Fosters Indigenous reconciliation in child care. In particular, the child care program will be operated consistently with the following principles of the British Columbia Declaration on the Rights of Indigenous Peoples Act: (i) Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including in the area of education; and (ii) "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
 - 7.2. Is inclusive and consistent with the principles of non-discrimination set out in the British Columbia Human Rights Code.
8. Any contract with a licensee other than District, to provide a child care program on Board property must be in writing in the form of a License to Occupy Agreement and is

subject to review no less than once a year. The license to occupy agreement contains the following provisions:

9. A description of the direct and indirect costs for which the licensee is responsible,
 - 9.1. An agreement by the licensee to comply with this Administrative Procedure and all other applicable policies.
 - 9.2. A provision describing how the agreement can be terminated by the District or the licensee.
 - 9.3. An allocation of responsibility to ensure adequate insurance is in place to protect the interests of the District.
 - 9.4. A statement that the agreement can only be amended in writing, signed by the District and the licensee.
 - 9.5. A requirement for the licensee to maintain appropriate standards of performance; and
 - 9.6. A requirement that the licensee must at all times maintain the required license to operate a child care facility.
10. Prior to entering into or renewing a contract with a licensee other than the District to provide a child care program on Board property, the District will consider:
 - 10.1. Whether it is preferable for the District to become a licensee and operate a child care program directly.
 - 10.2. The availability of School District staff to provide before and after school care; and
 - 10.3. Whether, with respect to a licensee seeking renewal or extension of a contract, the licensee has performed its obligations under this Administrative Procedure and its contract with the District, with specific regard to performance in respect of providing an inclusive child care program and one that promotes indigenous reconciliation in child care.

Reference: Sections 85.1, 85.2, 85.3, 85.4 School Act
Ministerial Order M326, August 31, 2020

Adopted: June 15, 2021