

CHILDCARE

Purpose

1. The purpose of this procedure is to provide guidance with respect to how School District 43 ("SD43") 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 board or third party licensees.
2. 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.
3. 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 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*.

Guiding Principles

1. SD43 will, on an ongoing basis, assess community need for child care programs on board property, through a process of engagement with employee partner groups, Indigenous Education Council, parents and guardians, and existing child care operators SD43 will consider the results of engagement in decision making regarding the use of board property for child care programs. The process for engagement will be reviewed on an ongoing basis and updated as required.
 - a) SD43 will annually identify available space and facilities for child care programs at each elementary school in the district as part of its capital planning process.
 - b) This process will consider community need for child care, evaluate operational suitability of space and inform decisions regarding how and when identified spaces may be used for child care programs.
2. If child care programs are to be provided on board property, SD43 will consider, on an ongoing basis, whether those programs are best provided by licensees other than SD43, SD43, or a combination of both.
3. Child care programs, if operated by SD43, will be operated for a fee no greater than the direct or indirect costs SD43 incurs in providing the child care program.
4. Fees for the use of board property by licensees other than SD43, will require the licensee to agree to comply with this administrative procedure.
- ~~5. In selecting licensees other than SD43 to operate a child care program, SD43 will give~~

special consideration to the candidates' proposals to: a) provide inclusive child care; and b) foster Indigenous reconciliation in child care.

6. If SD43 decides to operate a child care program, SD43 will ensure that it is operated in a manner that:
 - a) 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 people 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
 - b) is inclusive and consistent with the principles of non-discrimination set out in the *British Columbia Human Rights Code*.
7. Any contract with a licensee other than SD43, to provide a child care program on SD43 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. Contract renewals with SD43 are once a year (annually) for child care located inside classrooms or school building areas and once every three (3) years for child care programs taking place in child care operator owned portables located on school grounds. The license to occupy agreement contains the following provisions:
 - 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 procedure and all other applicable procedures and policies;
 - c) A provision describing how the agreement can be terminated by SD43 or the licensee;
 - d) An allocation of responsibility to ensure adequate insurance is in place to protect the interests of SD43;
 - e) A statement that the agreement can only be amended in writing, signed by SD43 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 child care facility.
8. Prior to entering into or renewing a contract with a licensee other than SD43 to provide a child care program on board property, SD43 will consider;
 - a) whether it is preferable for SD43 to become a licensee and operate a child care program directly;
 - b) the availability of school district staff to provide before and after school care;
 - c) 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 ~~agreement with SD43, with specific regard to performance in respect of providing an~~

- inclusive child care program and one that promotes indigenous reconciliation in child care.
- d) The utilization of the British Columbia Early Learning Framework to guide and support learning experiences in child care settings.

Selecting a Child Care Licensee

1. Requests and public enquiries regarding establishing a child care operation on board property, shall be in written form (email or letter) and should be addressed to District Facilities Rentals Department. Enquiries should include enough details so that SD43 has the information it requires to begin an assessment of the community need and begin a process of engagement as described above.
2. After assessment and engagement, if SD43 determines a child care operation is needed and desirable and that SD43 will not operate the child care program directly; the selection of a child care program licensee may be in the form of a Request for Proposal process offered publicly and openly to any and all interested and experienced child care providers (the Applicant).
3. Proposals submitted by Applicants are to be in the format of a business plan and are to include the following items as criteria for selection:
 - a) proof of past experience in providing child care; business licensing, Fraser Health licensing,
 - b) staffing qualifications,
 - c) specifics of the program offered identifying whether for profit or not for profit,
 - d) discussion on operating an inclusive child care;
 - e) discussion on fostering Indigenous reconciliation in child care and operating on the principles of the *British Columbia Declaration on the Rights of Indigenous Peoples Act*; and
 - f) provision of an annual budget; showing all revenue and expenses to run a childcare program, including the fees collected from parents for child care, the wages paid to staff, the number of staff and showing proof of financial viability for the program.
4. District Facilities Rentals Department will communicate with Applicants regarding further information that may be required during the selection process. Once an applicant is selected a meeting will take place with the successful Applicant to discuss and review the new contractual licensing agreement terms, conditions and costs.

Expanding an Existing Child Care Operation

1. All requests for expansion of child care operations (including additional classroom or area within a school facility or to place an additional portable on school grounds) should first be discussed with the school principal, providing a rationale for the request. All requests should be in written form (email or letter) providing as much detail as possible.

2. After discussion with and support of the principal, a formal written request should be submitted to District Facilities Rentals Department for review and consideration. The request should include;
 - a) If the child care expansion being considered is for an additional classroom or area of the school and the principal of the school supports the expansion, a formal request should be sent to District Facilities Rentals Department, including the following key elements:
 - i) details of the discussion with the school principal (date, time, topic) including a memo of support,
 - ii) rationale for the expansion and a discussion of the community need which supports an expansion,
 - iii) discussion of classroom space specifics, renovation requirements, or other school requirements,
 - iv) the requirements for more parking, expanded playground, or other internal or external requirements or usage.
 - b) If the child care expansion being considered is for placement of a portable building on school grounds the request should include;
 - i) details of the discussion with the principal of the school (date, time, topic)
 - ii) a discussion of the community need, which supports an expansion
 - iii) the scope of work involved in the project,
 - iv) discussion of the need for additional site area requirements (utilities & connections)
 - v) the need for more parking, expanded playground, or other external requirements,
 - vi) details of the project's financial viability for the expansion including funding sources such as government grants and related requirements.
3. Additional information may be requested from the child care operator and/or meetings and discussions with SD43 representative(s) conducted to collect additional details.
4. The child care operator should be aware that every request requires SD43 resources for material reviews, meetings, communications, approvals, reporting, monitoring and management of the expansion request.
5. SD43 will determine the appropriate costs at the time of the request and inform the child care operator if fees will be applicable.
6. SD43 will consider the request, assess the need for expansion at the site. Some requests may not proceed. The final decision resides with the Secretary-Treasurer/CFO or their designate.
 - a) SD43 will review the request considering all aspects of the expansion:

- i) the long-term plans for the school and site;
 - ii) the scope of the project, including location and orientation of the proposed additional portable building (Drawings and/or Plans), parking, utilities;
 - iii) City and Bylaw considerations; and
 - iv) involvement and school communications with administrators and others.
- 7. An expansion to current child care operation will require an amendment to the operator's current license to occupy agreement including an adjustment to the license fees.
- 8. A written notice and fee quotation (as applicable) provided to the child care operator from SD43 will be notice that the expansion request has been accepted by SD43. Once the child care operator approves in writing, the notice and quotation, the project will begin. SD43 considers the accepted request a capital project and SD43 staff will be assigned.

Transferring Ownership of a Child Care Operation

- 1. Child care operators located on board property intending to sell or transfer ownership of their business or shares in their business, should discuss their intention with SD43 - initially the school principal.
- 2. The current operator shall subsequently provide a written notice (email or letter) of their intention to District Facilities Rentals Department providing a minimum of 2 months' (60 days) notice.
- 3. SD43 will perform an assessment and process of engagement to determine the current and future need of the child care services required at this school site and SD43 considerations for K-12 programming.
- 4. After an assessment and process of engagement SD43 may determine that;
 - a) Child care is needed and SD43 will operate and provide child care services;
 - i) the current operator's license to occupy agreement will conclude and terminate at the date indicated on the agreement or earlier date as confirmed and agreed to between the child care operator and SD43.

or
 - b) Child care is needed and SD43 will not operate a child care program;
 - i) Any potential new operator will be required to provide a proposal and information to SD43 consistent with the requirements captured in *Selecting a Child Care Licensee* section 3 above.
 - ii) SD43 will evaluate the qualifications and business plan proposal and once approved, a license to occupy agreement with the new owner will be executed with SD43.

Use of School Property by Offsite Child care Provider

School grounds including all play spaces are reserved exclusively for school use and licensed on-site child care providers on days when schools are in session between the hours of 7am and 6 pm. There may be circumstances that would allow offsite child care providers use of board property during these hours at the discretion of the Secretary-Treasurer or designate. A formal application and agreement are required. Please see *Administrative Procedure 562 – Community Use of School Facilities and Grounds* for further details.

Cost of Providing Child Care Space on Board Property

SD43 has structured and established the costs on which to charge a fee, for a child care operation on school board property based on a cost recovery model. The recovery fee is based on direct and indirect operating costs that including the following;

- a. Utilities; (including garbage collection, recycling, organic waste, heating and lighting)
- b. Maintenance and repair;
- c. A reasonable allowance for the cost of providing custodial services including supplies;
- d. A reasonable allowance for time school district spend on matters relating to the use of school district 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.

Attachments: Form 567-0 License to Occupy Agreement

Form 567-1 Technical Approval of Proposed Portable Daycare

Reference: Section 65, 85, 168.001 School Act

Community Care and Assisted Living Act

Child care Licensing Regulation

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