

SCHOOL DISTRICT NO. 51 (BOUNDARY)

P O L I C Y

SECTION	TITLE	NO. 3071
EDUCATIONAL PROGRAMS/ SERVICES	Provision of Child Care Programs	

Date adopted: September 20, 2022

The purpose of this policy is to provide guidance with respect to how the Board will promote the use of Board property for the provision of child care programs between the hours of 7:00 am and 6:00 pm on business days by either the Board 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.

This policy does not apply to existing child care providers that were leasing Board property prior to the date the policy is adopted as the relationship with those providers is determined by their pre-existing lease agreements.

Regulation

1. Definitions

In this Policy, 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 shall include:

- a. Utilities
- b. Maintenance and repair
- c. A reasonable allowance for the cost of providing custodial services
- d. A reasonable allowance for time School District Administrators and other staff spend on matters relating to the use of Board property by licensed child care providers.

2. Guiding Principles

The Board will assess community need for child care programs on Board property, through ongoing engagement with employee groups, parents/guardians, local Indigenous community representatives, rightsholders and service providers, and existing child care operators.

If child care 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.

Child care programs, if operated by the Board, will be operated for a fee no greater than the direct costs the Board incurs in providing the child care 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 make Board property available for the child care program.

3. Board Child Care Programs

If the Board decides to operate a child care program, the Board will ensure that it is operating 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 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
- b. Is inclusive and consistent with the principles of non-discrimination set out in the British Columbia Human Rights Code.

4. Child Care Provider Contracts

In selecting licensees other than the Board to operate a child care program, the Board will give special consideration to the candidates’ proposals to:

- a. Provide inclusive child care; and
- b. Foster Indigenous reconciliation in child care.

Any contract with a licensee other than the Board to provide a child care program on Board property must be in writing and subject to review no less than every year. The contract 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;
- 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 including providing inclusive child care and fostering Indigenous reconciliation in child care; and
- g. A requirement that the licensee must always maintain the required license to operate a child care facility.

Prior to entering or renewing a contract with a licensee other than the Board to provide a child care program on Board property, the Board will consider;

- a. Whether it is preferable for the Board to become a licensee and operate a child care program directly;
- b. 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 Policy and its contract with the Board, with specific regard to performance in respect of providing an inclusive child care program and one that promotes Indigenous reconciliation in child care.

References: [School Act, RSBC 1996, ss 84.1 – 85.4](#)
[OrderM326, the Child Care Order](#)