



Policy 15 – Child Care

Background

The Surrey School District No. 36 (the “District”) is committed to supporting students, families, and communities by facilitating access to child care programs on property owned by the Board of Education of School District No. 36 (the “Board”).

This policy establishes the objectives, principles, and requirements governing the use of property owned by the Board for the provision of licensed child care programs, whether operated by the District or external licensees, in a manner that is fiscally responsible, compliant with applicable legislation, inclusive, and supportive of Indigenous reconciliation. This policy is to be read in conjunction with the administrative procedure governing community use of facilities and grounds.

Definitions

For the purposes of this policy, “Child Care Program”, “Board Property”, “Business Day”, “Educational Activities”, “Licensee”, and “Parent” have the same meaning as set out in the *School Act*.

“Reasonable Costs” include:

1. Utilities;
2. Maintenance and repair;
3. Insurance;
4. Inclusive supports;
5. A reasonable allowance for the cost of providing custodial services;
6. A reasonable allowance for the time District administrators and other staff spends on matters relating to the use of Board property by licensed child care providers;
7. Capital replacement costs; and
8. Any other incremental costs related to the planning, operations or provision of child care services on Board property.

Procedures

1. Scope
 - a. The purpose of this policy 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 a.m. and 6 p.m. on Business Days by the District or external Licensees.

- b. The use of Board Property by Licensees, other than the District, must not disrupt or otherwise interfere with the provision of educational activities, including early learning programs, extracurricular school activities or any other school district activity.

2. Community Engagement

- a. The District may assess community need for Child Care Programs through engagement with employee groups, parents, Indigenous communities and rightsholders, existing childcare operations, the Indigenous Education Council, and other relevant agencies.
- b. The engagement process may be conducted on an ongoing basis.
- c. The District may work with Licensees to send out surveys and information regarding Child Care Programs and to encourage registration and ensure community awareness.

3. Operating Child Care Programs

- a. In operating a Child Care Program, whether directly by the District or through a Licensee, the District shall ensure that the program is operated in a manner that is cost neutral to the District.
- b. For the purposes of this section, the District may consult, as it considers appropriate, with relevant District departments, including, Indigenous Learning and Student Support - Inclusive Education.

4. Contracting Considerations

- a. Prior to entering or renewing any contract with a Licensee, other than the District, the District shall consider the following factors:
 - i. Whether it is preferable for the District to operate the Child Care Program;
 - ii. The availability of District personnel and space to provide a Child Care Program;
 - iii. The appropriateness of the District to become a Licensee; and
 - iv. Where a Licensee seeks the renewal or extension of a contract, whether the Licensee fulfilled all obligations under this policy and the existing contractual agreement with the District, with particular regard to:
 1. The provision for an inclusive Child Care Program; and
 2. The promotion of Indigenous reconciliation within the Child Care Program.

5. Allocation of Space

- a. The District may give priority to Licensees that operate Child Care Programs in a manner consistent with the principles set out in sections 3(a) and (b) of this policy.

- b. Through the consultation process outlined in section 2(a), the District may, on an annual basis, identify available space and facilities at each elementary school for the purposes of Child Care Programs.
 - i. Based on assessed need and the availability of appropriate space, the District may determine how and when identified spaces will be utilized for Child Care Programs.

6. Applications

- a. To request use of Board Property for a Child Care Program, Licensees shall apply through the administrative procedure governing community use of facilities and grounds for additional information.

7. Compliance

- a. Where a Licensee operates a Child Care Program on Board Property, the District shall require the Licensee to agree to comply with this policy.

8. Fees

- a. Fees charged to Licensees, other than the District, for use of Board Property shall not exceed the Reasonable Costs incurred in making the Board Property available for the Child Care Program.
- b. Fees charged for Child Care Programs operated by the District, as a Licensee, shall not exceed the Reasonable Costs incurred in providing the Child Care Program.

9. Contracts

- a. Any contracts with a Licensee, other than the District, shall be in writing and include, at a minimum:
 - i. A description of the Reasonable Costs for which the Licensee is responsible;
 - ii. A covenant by the Licensee to comply with this policy;
 - iii. A provision setting out the conditions under which the contract may be terminated by either the District or Licensee;
 - iv. An allocation of responsibility for obtaining and maintaining insurance coverage;
 - v. An indemnification clause requiring the Licensee to indemnify and hold harmless the District;
 - vi. A clause stating that the contract may only be amended in writing, and executed by the District and the Licensee; and
 - vii. A requirement that the Licensee maintain all licenses, permits, and approvals necessary to operate a Child Care Program.

References

Human Rights Code, R.S.B.C., 1996, c. 210.

Ministerial Order M326/20: Child Care Order. Government of British Columbia, 2020.

Ministry of Education and Child Care, *Inclusive Education Policy*, September 5, 2023.

School Act, R.S.B.C., 1996, c. 412.

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