

SCHOOL DISTRICT NO. 48 (SEA TO SKY)

POLICY SERIES 1000 – SCHOOL – COMMUNITY RELATIONS

R1004 COMMUNITY ACTIVITIES

R1004.1a Use of Board Property by Licensed Child Care Providers

I. Definitions

The terms “board property”, “business day”, “educational activities”, and, “licensed child care provider” shall have the meanings set out in section 85.1 of the *School Act*.

“board property”, in relation to a board, means board-owned land or improvements in the board’s school district that are or have been used, or are intended for use, for educational activities;

“business day” means any day that is not a Saturday, Sunday or a holiday;

“care program” has the same meaning as in the Child Care Licensing Regulation, B.C. Reg. 332/2007;

“educational activities” means the provision of educational programs, and includes early learning programs and extracurricular school activities;

“licensed child care provider” means a person who is licensed under the *Community Care and Assisted Living Act* to provide one or more of the following care programs:

- (a) Group Child Care (Under 36 Months), being a program that provides care to children who are younger than 36 months old;
- (b) Group Child Care (30 Months to School Age), being a program that provides care to preschool children;
- (c) Preschool (30 Months to School Age), being a program that provides care to preschool children who are at least
 - (i) 30 months old on entrance to the program, and
 - (ii) 36 months old by December 31 of the year of entrance;
- (d) Group Child Care (School Age), being a program that provides, before or after school hours or during periods of school closure, care to children who attend school, including kindergarten;
- (e) Occasional Child Care, being a program that provides, on an occasional or short-term basis, care to preschool children who are at least 18 months old;
- (f) Multi-Age Child Care, being a program that provides, within each group, care to children of various ages.

“Direct and indirect costs” 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,

II. Guiding Principles

1. The Board of Education of School District No. 48 supports the use of board property by licensed child care providers on business days between the hours of 7 a.m. and 6 p.m.
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. Revenue obtained by the board from the use of board property by licensed childcare providers on business days between the hours of 7 a.m. and 6 p.m. will not be more than the direct and indirect costs incurred and to be incurred by the board as a result of making that use available. Requests to start operations before 8 am may be subject to additional costs to facilitate access and service to the facility.
4. This Policy does not apply to any arrangement in place on March 14, 2013 under which board property is being made available to licensed child care provider(s) but does apply to any renewal or extension of that arrangement.

III. Regulations

1. The Board authorizes the Secretary-Treasurer to enter into agreements with child care providers who are appropriately licensed. The agreement will reflect the Board’s policy AP 1004.1 Use of School Facilities – Buildings and Grounds. There are four types of agreements available:
 - a. License Agreement**
 - i. Less than 4 year term
 - ii. 12 month operation
 - iii. Vacant school facility
 - b. Rental Agreement – Full Day**
 - i. Annual term
 - ii. 10 month operations
 - iii. Full day use
 - iv. Generally within active school facilities, in consultation with the principal
 - c. Rental Agreement – Before/After School Care**
 - i. Annual term
 - ii. 10 month operations

- iii. Before and/or after school care-school age students within active school facilities, in consultation with the principal
2. School populations are dynamic and therefore, it is difficult to accurately assess the short and long-term enrolling space needs of schools. It may also be difficult to find alternative accommodation for child care programs in the short term. For these reasons, unused classroom space, used for licensed child care programs, will be on an annual basis.
3. If the needs of the school require the occupied space, as much notice as possible will be given to the child care program provider.
4. Hours of operation must be on business days between the hours of 7 a.m. and 6 p.m. Requests to start operations before 8 am may be subject to additional costs to facilitate access and service to the facility.
- 5. Liability and Responsibility:**
 - a. The Board has no legal liability for the operation of the child care program. The operator shall maintain, at its own expense, liability insurance as follows:
 - i. Comprehensive General Liability insurance (including bodily injury and property damage) on an occurrence basis with respect to the program activities at the site.
 - ii. The limit of such insurance shall be at least \$2,000,000 inclusive per occurrence.
 - iii. This insurance shall name the Board as an additional insured with respect to liability or damage arising out of the use or occupancy of any Board property by the operator.
 - iv. It shall include a cross liability clause and tenant's legal liability insurance in the minimum amount of \$1,000,000.
 - b. A certificate of insurance must be provided to the Secretary-Treasurer annually.
 - c. The Board has no legal obligation in the area of the supervision or financial matters of the child care program. Responsibility for children who become ill during the day or are not picked up from the child care program in the evening lies with the Licensed Child Care Provider.
- 6. Rental and License Fees:**
 - a. License Agreement – 12 Month Operation
 - i. Rental fees will be at cost recovery rates and not be more than the direct and indirect costs (overhead) incurred by the Board as a result of making that use available.
 - ii. Direct costs will be added on an individual basis determined by the Secretary-Treasurer or designate. These costs shall include, but not limited to, custodial fees and/or utilities and/or equipment fees.
 - b. Rental Agreement – Full Day

- i. Rental fees will be at cost recovery rates and not be more than the direct and indirect costs (overhead) incurred by the Board as a result of making that use available.
 - ii. Direct costs will be added on an individual basis authorized by the Secretary-Treasurer. These costs shall include, but not limited to, custodial fees and/or equipment fees.
 - c. Rental Agreement – Before/After School Care
 - i. Rental fees will be at cost recovery rates and not be more than the direct and indirect costs (overhead) incurred by the Board as a result of making that use available.
 - ii. Direct costs will be added on an individual basis authorized by the Secretary-Treasurer. These costs shall include, but not limited to, custodial fees and/or equipment fees.
7. Any Licensed Child Care Provider operating under a Rental Agreement, wishing to move into a summer program must first obtain the express permission of the Secretary-Treasurer. A new rental agreement will be required. Direct costs will be assessed and added to the base rate for use of schools through July and August.
8. Licensed Child Care Providers, within active schools may, use their school space for full day programs when school is not in session with the express permission of the Board's Facilities and Services Department at least two weeks in advance to allow the Board to plan for custodial coverage and to determine whether charges for custodial coverage will apply.
9. Proof must be provided to the Board that the child care Program has been licensed by the proper Provincial authority.
10. Persons operating the child care program or the people who are hired to assist them must be able to produce an approved criminal record check satisfactory to the Board and the proper licensing authority upon request by the Board, for any child care program provided in an active school.
11. Operation of the child care program is subject to review by the Board for any reason, and permission to operate the child care program may be withdrawn with 30 days' notice given by the Board.
12. An emergency evacuation plan, for child care programs operating in an active school, must be in place and approved by the principal.
13. Prior to June 30th of each year, child care providers shall advise the Secretary-Treasurer of the facilities required to offer the child care program for the following school year. Other times throughout the year may be requested no later than 15 calendar days prior to the event and will only be approved if space is available.