



SCHOOL DISTRICT NO. 50 HAIDA GWAI BOARD POLICY MANUAL

POLICY G.5

CHILD CARE POLICY

December 2021

Rationale

Bill 8, the *Education Statutes Amendment Act*, came into force on March 5, 2020. This amendment of the *School Act* by the provincial government enacts new provisions related to childcare facilities located on board of education property, including a prescriptive order from the Minister of Education regarding the formal establishment of board policy to govern the establishment of such facilities. Order M326, the *Child Care Order*, further defines the role of boards of education with respect to the provision of childcare programs.

Purpose

1. 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 childcare programs between the hours of 7 a.m. and 6 p.m. on business days by either the board or third-party licensees.
2. The use of board property by licensed childcare providers must not disrupt or otherwise interfere with the provision of educational activities including early learning programs and extracurricular school activities.

Definitions

3. 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*.
4. “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 the time school district administrators and other staff spend on matters relating to the use of board property by licensed child care providers.
 - e. Any other incremental costs directly related to the provision of childcare services on board property.



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Guiding Principles

5. The board will, on an ongoing basis, assess community need for childcare 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 Board.
6. 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.
7. 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.
8. 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 making Board property available for the childcare program.
9. If child care programs are operated by a licensee other than the Board, the Board will require the licensee to agree to comply with this Policy.
10. 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.
 - (c) maintain a program philosophy and management concept congruent with the values of this Policy and the Boards Strategic Plan
 - (d) demonstrated successful experience as a licenses child care operator
 - (e) opt into the Provincial Fee Reduction Initiative, and
 - (f) demonstrate financial stability
 - (g) utilize the BC Early Learning Framework to guide and support learning experiences in child care settings.
11. If the board decides to operate a child care program, the Board 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 Peoples Act*:



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- (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*.
12. 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 annually. 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 of the Board;
 - c. A provision describing how the agreement can be terminated by the Board or 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; and
 - g. A requirement that the licensee must at all times maintain the required license to operate a child care facility.
13. Prior to entering into 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 childcare program directly;
 - b. The availability of school district staff to provide before and after school care; and
 - 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 that performance in respect of providing an inclusive child care program and one that promotes indigenous reconciliation in childcare.



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14. RESPONSIBILITIES

- a. **The Board of Education** is responsible to ensure compliance with the *School Act*
- b. **The Superintendent** is responsible to ensure that District policy is upheld and regulations are enforced.

15. REFERENCES

- a. Ministerial Order M326, August 31, 2020
- b. School Act Section 85.1, 85.2, 85.3, 85.4, March 5, 2020