

Childcare Policy

5240 | Childcare Policy

Date Approved: May 16 2023

Date Amended:

Bill 8, the Education Statutes Amendment Act, was activated on March 5, 2020. This amendment of the *School Act* by the provincial government outlines 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 new board policy to govern the establishment of such facilities Order M326, the *Child Care Order*, further defines the role of the boards of education with respect to the provision of childcare programs.

“Direct and indirect costs” include:

- Utilities
- Maintenance and repair
- Costs related to payment processing for rental fees
- A reasonable allowance for the cost of providing custodial services
- A reasonable allowance for the time school district administrators and other staff spend on matters relating to the use of board property by licensed childcare providers
- Any other incremental costs directly related to the provision of childcare services on board property

1. Childcare programs, if operated by the board, will be operated for a fee no greater than the direct costs the board incurs in providing the childcare program.
2. Fees for the use of board property by license holders other than the board will not exceed the direct and indirect costs the board incurs in making board property available for the childcare program.
3. If childcare programs are operated by a license holder other than the board, the board will require the licensee to agree to comply with this policy.
4. In selecting license holders other than the board to operate a childcare program, the board will give special consideration to the candidates’ proposals that provide inclusive childcare; and foster Indigenous reconciliation with childcare, as outlined in #5.
5. If the board decides to operate a childcare program, the board will ensure that it is operated in a manner that:
 - Fosters and promotes Indigenous reconciliation in childcare. In particular, the childcare 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 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
 - Is inclusive and consistent with the principles of non-discrimination set out in the British Columbia *Human Rights Code*.

6. Any contract a lease other than the board, to provide a childcare program on board property must be in writing and subject to regular review and completion of Licensed Child care Facility Inspection Reports in accordance with Ministry of Education & Childcare requirements. The contract must contain:

- A description of the direct and indirect costs for which the license holder is responsible and shall clearly state that these costs are subject to annual increases in accordance with duly issued notifications of increases in the direct and indirect costs incurred by the District.
- An agreement by the license holder to comply with this policy and all other applicable policies;
- A provision describing how the agreement can be terminated by the board or license holder, whereby the termination notification shall not be less than 3 months;
- An allocation of responsibility to ensure adequate insurance is in place to protect the interests of the board;
- A statement that the agreement can only be amended in writing, signed by the board and the license holder;
- A requirement for the license holder to maintain appropriate standards of performance; and
- A requirement that the license holder must at all times maintain the required license to operate a childcare facility.