

Yukon Education

Policy Subject: After-School Child Care Operations in Schools

Date Passed: January 6, 2005

Policy No. 1022

Legislation:

*Education Act, Child Care Act,
Financial Administration Act.*

Cross Reference:

Purpose and Principles:

1. The Department of Education supports the use of schools as community facilities and the development of clear guidelines to enable the communities' use of the schools.
2. The Department of Education shares an interest with the Child Care Services Unit, Department of Health and Social Services, and the Department of Highways and Public Works in the operation of after school child care operations in schools. These departments will work collaboratively with other agencies in response to an expression of interest in operating an after school child care operation.
3. Per Section 65 of the *Financial Administration Act*, neither the Department of Education nor the Government of Yukon will assume any liability as a result of any after school day care operations in schools. Neither the operator nor the employees of the Child Care Operation are considered employees of Yukon Government.

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4. The Department of Education supports the involvement of school council, interested parents and departmental staff, including school administrators, in determining the school's ability to host an after school child care operation on its premises.
5. The final decision to approve or deny an application for an after school child operation in the school rests solely with the Assistant Deputy Minister of Public Schools, subject to the conditions listed below.

Guidelines

1. All after school day care operations situated in the school must meet the licensing requirements of the Child Care Licensing Regulations, Department of Health and Social Services and comply with relevant regulations under the *Child Care Act*.
2. Operators of child care operations must carry one million dollars (\$1,000,000) liability / comprehensive coverage in order to operate in a school.
3. Upon indicating an interest to operate an after school day care facility in a school the operator shall confirm to the administrator that all requirements of the Health and Social Services Licensing Requirements have been addressed.
4. In order to protect the privacy and property of teachers and students, no occupied classrooms will be made available for use by after-school child care facilities operating in Yukon schools.
5. The school administrator shall:
 - i. Determine if there is space available in the school to meet the needs of the operator, in accordance with the licensing requirements;
 - ii. Recommend to the Assistant Deputy Minister that the Department support or not support the operation in the school;
 - iii. Recommend any conditions or considerations, hours of operations, specify school closed days, etc;

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6. The Yukon Government will not bear any cost for school renovations in order to fulfill licensing requirements for a child care operation.
7. The operators and/or employees of the child care operations will not be considered employees of Yukon Government.
8. Any renovations require prior approval by the Department of Education and the Department of Highways and Public Works.
9. After school child care operations shall be charged rent for use of the premises. Rent will be set at market value as determined by the Property Management Agency of the Department of Highways and Public Works.
10. Upon receipt of a recommendation from the school administrator, the Assistant Deputy Minister shall review the matter and if he/she approves, request that the Department of Highways and Public Works provide public notice that an Expression of Interest has been received to operate a child care operation in the school, and provide 10 business days for another interested party to come forward with an Expression of Interest.
11. Once an operator has been selected to operate an after school child care facility in the school, a facility use agreement will be signed by representatives of the Department of Education, Highways and Public Works and the after school child care operator.
12. The facility use agreement shall specify:
 - i. terms and conditions of the contract between the child care operation and the school;
 - ii. security of the building;
 - iii. hours and days of operation for the day care operation;

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- iv.* rental fees for the use of the facility;
- v.* insurance carried, amount and the name of the insurer;
- vi.* any required renovations and cost details and approvals;
- vii.* the details of specific parts of the school that can be accessed by the day care operations and shall specify any terms for that use;
- viii.* responsibility to repair any damage caused by the child care operation;
- ix.* withdrawal of the facility and under which conditions;
- x.* requirement for a damage deposit and the term of the lease;
- xi.* Any requirements for maintenance, cleaning or other conditions.