



## **Licensed Child Care and Before- and After-School Programs: New and Expanded Programs in Schools (PR691)**

**To:** Governance and Policy Committee

**Date:** 24 April, 2019

**Report No.:** 04-19-3631

### **Strategic Directions**

- Provide Equity of Access to Learning Opportunities for All Students
- Create a Culture for Student and Staff Well-Being
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

### **Recommendation**

It is recommended that the updated Licensed Child Care and Before- and After-School Programs: New and Expanded Programs in Schools (PR691) be received.

### **Context**

The updated Licensed Child Care and Before- and After-School Programs: New and Expanded Programs in Schools Procedure replaces the originally titled, Child Care: Expanding Existing Space and Establishing New Space in Operating Schools (PR691). The rationale for this revision is to provide staff with greater clarity and a systemic approach to developing and expanding child care and before-and after-school programs in schools. This revision also accounts for the board's duty to provide before-and after-school programming for students in kindergarten to grade 6, which predates the procedure's current version. It reinforces the Board's commitment to the success of children through strengthened early education and care, including child care and before-and after-school programs. This Procedure supports the implementation of the Early Learning and Care Policy (P022) and outlines the process for the development or expansion of child care and before- and after-school programs in schools, including approval of space and the selection of program operators.

## **Action Plan and Associated Timeline**

In April 2019, Child Care Services staff will begin communications to licensed child care and before- and after-school program operators, and the City of Toronto, Children's Services Division to inform them that the revised Procedure is now available online. As requests for new or expanded licensed child care programs are received, staff will ensure this Procedure is made available to current and new potential operators, to support planning and implementation.

## **Resource Implications**

No new resources are required. The Child Care Services unit will continue to work across departments to support the planning and implementation of licensed child care and before- and after-school programs in schools.

## **Communications Considerations**

All current licensed child care and before- and after-school program operators serving children from birth to age 12 years in a TDSB school will receive notification of this updated Procedure. This Procedure will also be made available through the public website.

## **Board Policy and Procedure Reference(s)**

- Early Learning and Care Policy (P022)
- Optional Attendance Policy (P013)
- Child Care: Occupancy Review (PR662)
- Child Care: Information Sharing and Confidentiality Agreement (PR692)
- Child Care & Before- and After-School Program Space Request Form (Form 691A)
- Optional Attendance Procedure (PR545)

## **Appendices**

- Appendix A: Criteria for Selection of Licensed Child Care and Before- and After-School Program Operators in Schools
- Appendix B: Licensed Child Care and Before- and After-School Programs New and Expanded Programs in Schools (PR691)

## **From**

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Appendix ACriteria for Selection of Licensed Child Care and Before- and After-School Program Operators in Schools

Through the Early Learning and Care Policy (P022), the Board supports access to licensed child care and before-and after-school programs for all eligible children. To that end, the development of new and expanded child care and before- and after-school programs will be limited to Not-for-Profit licensed child care and before- and after-school program operators with a Service Agreement for Fee Subsidy with the City of Toronto Children's Services CMSM and are compliant with the appropriate legislation and policies.

Application submissions will be reviewed based on a prescribed criterion. This list provides an overview of what may be included in a Request for Proposal, or Request for Supplier Qualifications, and may be subject to change.

- Confirmation of Not-for-Profit incorporation status and compliance with the *Toronto Children's Services Not-for-Profit Declaration* and requirements.
- Demonstrated history of delivering high-quality child care or before-and after-school programs in accordance with the *Child Care and Early Years Act*, and the Toronto Children's Services Assessment for Quality Improvement, meeting or exceeding standardized expectations.
- Confirmation of the organization's governance through the Board of Directors structure, Board member recruitment and screening process, and Annual General Meeting minutes.
- Demonstration of alignment with TDSB's mission and vision and Early Learning and Care Policy (P022) through the organization's program statement and philosophy, parent handbook, and/or policies and procedures related to addressing parent issues, concerns, equity and inclusion, admission and withdrawal, and waitlists.
- Demonstration of financial viability, sound financial management, and capacity to fund start-up costs for new programs and cover initial deficits, if required, through audited financial statements, business plan proposals, and proposed fee structure.
- Confirmation of the organization's commitment and ability to adjusting program capacity to meet the school community's child care and before-and after-school program needs.
- Provision of such other proof or documentation as may be requested by Child Care Services, or other applicable staff, at its discretion.

# Toronto District School Board

Operational Procedure PR691

Title: **LICENSED CHILD CARE AND BEFORE- AND AFTER-SCHOOL PROGRAMS: NEW AND EXPANDED PROGRAMS IN SCHOOLS**

Adopted: March 29, 2005;  
 Effected: March 29, 2005  
 Revised: [June 29, 2009; \[Insert New Date\]](#)  
 Reviewed: [June 29, 2009; \[Insert New Date\]](#)  
 Authorization: Executive Council

## 1. RATIONALE

The Licensed Child Care and Before- and After-School Programs: New and Expanded Programs in Schools Procedure (the “Procedure”) affirms the Board’s commitment to the success of children through strengthened early education and care, including child care and before- and after-school programs. This Procedure supports the implementation of the Early Learning and Care Policy (P022).

## 2. OBJECTIVE

To outline the process for the development or expansion of child care and before- and after-school programs in schools, including approval of space and the selection of program operators.

## 3. DEFINITIONS

*Alternative Space* refers to space identified on the Lease that is used by a child care or before- and after-school program operator to deliver its programs during facilities-related relocations or emergencies, or used episodically for program enhancement based on school approval and scheduling. For example, room 100 may be the primary space used by a before- and after-school program. However, due to a facilities related issue, room 100 must be vacated on a specific day. The before- and after-school program would therefore be relocated from room 100 to its alternative space, room 101, as identified in the Lease.

*Before- and After-School Programs (BASP)* refers to licensed before-and after-school programs or authorized recreation and skill building programs serving students in Junior Kindergarten to 6 before the school day begins, and/or after it ends, and may operate on non-instructional days, as defined in the *Education Act, and O. Reg. 221/11*, and the *Ontario Ministry of Education - Before- and After-School Programs- Kindergarten - Grade 6: Policies and Guidelines for School Boards (2018)*.

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Licensed Child Care and Before- and After-School Programs: New and Expanded Programs in Schools Procedure (PR691)

*Board* refers to Toronto District School Board, which is also referred to as the TDSB.

*Board Facilities* mean the buildings, lands and premises that are owned and/or operated by the Board.

*Central Accommodations Team (CAT)* refers to a cross-functional team of senior staff that makes decisions and/or recommendations to effectively and efficiently manage the exclusive use of space in TDSB facilities in order to create/maintain the strategic placement of academic programming and services to support students and system-wide accommodation needs, including licensed child care and before- and after-school programs.

*Consolidated Municipal Service Manager (CMSM)* refers to the service delivery agents for social assistance, child care, and affordable and social housing. The Toronto Children's Services Division is the designated CMSM for child care and early years responsibilities for the City of Toronto.

*Direct Lease Agreement* refers to the lease between the Board and independent child care and third party before- and after-school program operators which provide for the payment of occupancy costs by the leasee (tenant).

*Exclusive Use Space* refers to space identified on the Lease that is used by a child care operator for child care and/or before- and after-school programs, Monday to Friday, between the hours of 7:00 a.m. and 6:00 p.m., with the exception of Board holidays and public/statutory holidays. The regular school day program does not have access to this space, and this space is not available for after-hours permits.

*Expansion of an Existing Licensed Child Care or Before- and After-School Program* refers to an extension of child care or before- and after-school programming and related space to serve additional children and/or students within the same school by the existing operator.

*Extended Day Programs* refers to Board-operated before- and after-school programs serving students in Junior Kindergarten to grade 6 before the school day begins, and/or after it ends, and may operate on non-instructional days as defined in the *Education Act, and O. Reg. 221/11*, and the *Ontario Ministry of Education - Before- and After-School Programs- Kindergarten - Grade 6: Policies and Guidelines for School Boards (2018)*.

*Fee Subsidy* refers to financial assistance provided through the CMSM to help eligible families with the cost of licensed child care or eligible before- and after-school programs.

*Learning Opportunities Index* refers to the ranking of each school based on measures of external challenges affecting student success. The school with the greatest level of external challenges is ranked number one and is described as highest on the index.

*Licensed Child Care* refers to the licensed early learning and care programs provided by non-TDSB operators, serving children from birth to 3.8 years of age within the age groupings of

Infant, Toddler, and Preschool, as defined in the *Child Care and Early Years Act*, which is also referred to as Child Care.

*Not-for-Profit* refers to corporations that comply with the *Toronto Children's Services Not-for-Profit Declaration* and requirements.

*Primary Space* refers to shared use space (either Shared Use Space - 10 or 12 Months) used for before- and after-school programs, where students of the same age are served in the school-day program. (e.g., Kindergarten before- and after-school programs are to be located in kindergarten classrooms, school-age before- and after-school programs are to be located in Grade 1-6 classrooms, as identified in the Lease).

*Request for Proposal (RFP)* refers to a procurement document that requests vendors to supply solutions for the delivery of complex products or services or to provide alternative options or solutions. It is a process that uses predefined evaluation criteria in which price is not the only factor.

*Request for Supplier Qualifications (RFSQ)* refers to a document used to gather information on supplier capabilities and qualifications with the intention of creating a list of pre-qualified suppliers. This mechanism may be used either to identify qualified candidates in advance of expected future competitions, or to narrow the field for an immediate need. Organizations must ensure that the terms and conditions built into the RFSQ contain specific language that disclaims any obligation on the part of the organization to call on any supplier to provide goods or services as a result of the pre-qualification.

*Service Agreement* refers to the contractual agreement between the Board and independent before- and after-school program operators and agencies to provide before- and after-school programs on behalf of the Board to meet the duty as defined in the *Education Act, O. Reg. 221/11*, and *Ontario Ministry of Education - Before- and After-School Programs- Kindergarten - Grade 6: Policies and Guidelines for School Boards (2018)*.

*Service Agreement for Fee Subsidy* refers to the contractual agreement between the CMSM and independent child care and eligible before- and after-school program operators to provide fee subsidies to eligible families.

*Shared Use Space (10 month)* refers to space identified on the Lease that is used by a before- and after-school program operator to deliver before- and after-school programs including before and/or after the regular day-school programs, and full-day use on non-instructional days for licensed before- and after-school programs during the 10 month school year. Example, room 100 accommodates a before- and after-school program operated by a before- and after-school program. Room 100 is also a Grade 2 classroom. Before the school day begins, the before- and after-school program operates in room 100. When the school day begins, the before- and after-school program concludes, and makes the classroom ready for the Grade 2 program to begin. At the end of the instructional day the Grade 2 program will conclude, and the before- and after-school program will occupy the classroom for its

afternoon program. On non-instructional days during the school year, licensed before- and after-school programs will have access to this space for the entire day without interruption. *Shared Use Space (12 month)* refers to space identified on the Lease that is used by a before- and after-school program operator to deliver before- and after-school programs including before and/or after the regular day-school programs, and full-day use on non-instructional days for licensed before- and after-school programs, for the school year and summer use. Example: Room 100 accommodates a before- and after-school program operated by a licensed before-and after-school program. Room 100 is also a Grade 2 classroom. Before the school day begins, the before- and after-school program operates in room 100. When the school day begins, the before- and after-school program concludes, and makes the classroom ready for the Grade 2 program to begin. At the end of the school day, the Grade 2 program will conclude, and the before- and after-school program will occupy the classroom for its afternoon program. On non-instructional days during the school year and during the summer, licensed before- and after-school programs will have access to this space for the entire day without interruption.

*TDSB Tenant Service Request Process* refers to the process to request work from TDSB Facilities Services for tenant-funded improvement projects.

*Umbrella Lease Agreement* refers to the legal agreement between the Board and the CMSM that provides for the payment of occupancy costs for tenants operating child care and eligible before- and after-school programs operating on TDSB property.

#### **4. RESPONSIBILITY**

Associate Director, Equity, Well-Being, and School Improvement

#### **5. APPLICATION AND SCOPE**

This Procedure applies to all employees of the Board and Toronto Lands Corporation and operators of child care and before- and after-school programs located in TDSB facilities.

This Procedure refers to the approval of space and operators only. Approvals for child care licenses, authorized recreation and skill building designations, changes to child care licensed capacity or Service Agreements for Fee Subsidy are provided through the Ministry of Education and CMSM respectively.

#### **6. PROCEDURES**

Through the Early Learning and Care Policy (P022), the Board supports access to licensed child care and before- and after-school programs for all eligible children. To that end, the development of new and expanded child care and before- and after-school programs will be limited to Not-for-Profit child care and before- and after-school program operators with a Service Agreement for Fee Subsidy with the CMSM, who are compliant with the appropriate legislation and policies.

### 6.1. Developing New Licensed Child Care Programs for Children from Birth to 3.8 Years of Age through Government Capital Funding

- (a) In partnership with the CMSM, the Board may submit applications for capital funding to various levels of government to develop new child care programs in schools for children from birth to 3.8 years of age.
  - (b) Priority neighbourhoods for child care growth will be identified by the CMSM, in alignment with their Service Plan.
  - (c) TDSB Planning will prepare a study to assess all schools in the priority neighbourhoods identified by the CMSM. This will include long term enrolment, availability of space for exclusive child care use, facility suitability and constraints, and consideration of the Learning Opportunities Index and ward equity, where feasible, for each school. This may include consultation and/or approval from the Central Accommodations Team.
  - (d) The Board may submit an application for child care capital to the Ministry of Education. Schools in which a full complement of child care programming for children from birth to 3.8 years of age (infant, toddler, and preschool) can be developed will be prioritized.
  - (e) In the event that a submission for child care capital is approved, Child Care Services will work with Business Services and consult with the CMSM to develop a Request for Proposal (RFP) to guide the operator selection process. If an eligible licensed child care or before- and after-school program operator already exists at the approved school, the RFP and operator selection process may be waived at the discretion of the Board. Where child care capital is funded by the CMSM, the CMSM will lead the operator selection process.
  - (f) RFP applications will be screened against submission requirements, outlined in the *Criteria for Selection of Licensed Child Care and Before- and After-School Program Operators in TDSB* (Appendix A), by a committee comprised of Child Care Services, Business Services, a representative of the CMSM, and other staff as appropriate.
  - (g) The successful child care operator will submit the *Child Care & Before- and After-School Program Space Request Form* (Form 691A) to Child Care Services, requesting new space at the school. The *Child Care & Before- and After-School Program Space Request Form* requires approval from the school Principal, Child Care Services, Planning, and Toronto Lands Corporation to initiate the development/execution of a Lease Agreement.
  - (h) The school staff room is to be made available for a child care staff rest area, in accordance with the *Child Care and Early Years Act*. The staff room is for the use of child care staff during lunch and breaks only, and should not be used for any
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other purpose unless identified in the Lease or permit agreement. Use of the staff room for a child care staff rest area is considered to be a part of the school common area and does not require a Lease or permit agreement during the school year or for summer use. Principals and child care operators must ensure that all child care staff sign the *Child Care: Information Sharing and Confidentiality Agreement* (PR692).

- (i) A Direct Lease Agreement is required for all new child care centres located in the school. The child care operator is responsible for occupancy costs and any other costs listed in the Lease, with the exception of those rooms where occupancy is paid for by the CMSM under the Umbrella Lease Agreement. Where occupancy costs are paid for by the CMSM under the Umbrella Lease Agreement, the CMSM must also provide approval for the *Child Care & Before- and After-School Program Space Request Form*. All child care operators are required to abide by the terms of the Lease Agreement throughout their occupancy.
- (j) The child care operator will not be permitted to occupy the space until they are in receipt of an executed Lease Agreement and have provided evidence that they have secured the mandatory insurance coverage stipulated in their Lease. Only spaces that are captured on the Lease will be permitted for use, with the exception of unplanned/emergency relocations.
- (k) The child care operator will be responsible for all requirements related to regulatory standards, including but not limited to Child Care Licensing and the Service Agreement for Fee Subsidy. Should the child care operator be unable to meet and maintain these requirements, the Board maintains the right to select another eligible operator, rescind all program approvals, and terminate occupancy.
- (l) Should the licensed child care operator request any additional major or minor improvements that have not been included in the approved child care capital design, they may request this through the TDSB Tenant Service Request Process. In accordance with the TDSB Tenant Service Request Process, the licensed child care operator will be required to fund the requested improvements.
- (m) In order to promote integrated services, the licensed child care operator and appropriate school staff, including the Principal, will develop strategies to support a collaborative early learning environment and seamless transitions as children move from the licensed child care program to Junior Kindergarten.
- (n) School registration for children enrolled in the child care program is subject to the Board's Optional Attendance Policy (P013) and Optional Attendance Procedure (PR545) and the *Education Act*.

## **6.2. Developing New Licensed Child Care Programs for Children from Birth to 3.8 Years of Age through Operator Initiated and Funded Applications**

- (a) Requests to develop new child cares in identified schools for children from birth to 3.8 years of age may be initiated by a child care operator. Requests will be
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submitted to Child Care Services who will conduct an initial review of the request to determine operator eligibility, outlined in the *Criteria for Selection of Licensed Child Care and Before- and After-School Program Operators in TDSB* (Appendix A).

- (b) If the child care operator is initially determined to be eligible, Child Care Services will consult with the CMSM to determine if the proposed new child care development aligns with the CMSM Service Plan and will be supported in an application moving forward.
- (c) TDSB Planning will prepare a study to assess long term enrolment, availability of space for exclusive child care use, facility suitability and constraints. This may include consultation and approval from the Central Accommodations Team.
- (d) If the results of the study support the development of a new child care, the child care operator will work with the Design and Construction Department to plan and implement capital retrofits, if required. All costs associated with capital retrofits for the purposes of child care licensing and operations will be the responsibility of the child care operator.
- (e) The child care operator will submit the *Child Care & Before- and After-School Program Space Request Form* (Form 691A) to Child Care Services, requesting new space at the school. *The Child Care & Before- and After-School Program Space Request Form* requires approval from the school Principal, Child Care Services, Planning, and Toronto Lands Corporation to initiate the development/execution of a Lease Agreement.
- (f) The school staff room is to be made available for a child care staff rest area, in accordance with the *Child Care and Early Years Act*. The staff room is for the use of child care staff during lunch and breaks only, and should not be used for any other purpose unless identified in the Lease or permit agreement. Use of the staff room for a child care staff rest area is considered to be a part of the school common area and does not require a Lease or permit agreement during the school year or for summer use. Principals and child care operators must ensure that all child care staff sign the *Child Care: Information Sharing and Confidentiality Agreement* (PR692).
- (g) A Direct Lease Agreement is required for all new child care centres located in the school. The child care operator is responsible for occupancy costs and any other costs listed in the Lease, with the exception of those rooms where occupancy is paid for by the CMSM under the Umbrella Lease Agreement. Where occupancy costs are paid for by the CMSM under the Umbrella Lease Agreement, the CMSM must also provide approval for the *Child Care & Before- and After-School Program Space Request Form*. All child care operators are required to abide by the terms of the Lease Agreement throughout their occupancy.

- (h) The child care operator will not be permitted to occupy the space until they are in receipt of an executed Lease Agreement and have provided evidence they have secured the mandatory insurance coverage stipulated in their Lease. Only spaces that are captured on the Lease will be permitted for use, with the exception of unplanned/emergency relocations.
- (i) The child care operator will be responsible for all requirements related to regulatory standards, including but not limited to Child Care Licensing and the Service Agreement for Fee Subsidy. Should the child care operator be unable to meet and maintain these requirements, the Board maintains the right to select another eligible operator, rescind all program approvals, and terminate occupancy.
- (j) The child care operator will be responsible for funding for all major or minor improvements in accordance with the TDSB Tenant Service Request Process.
- (k) In order to promote integrated services, the child care operator and appropriate school staff, including the Principal, will develop strategies to support a collaborative early learning environment and seamless transitions as children move from the child care program to Kindergarten.
- (l) School registration for children enrolled in the child care program is subject to the Board's Optional Attendance Policy (P013) and Optional Attendance Procedure (PR545) and the *Education Act*.

### **6.3 Developing New Before- and After-School Programs for Junior Kindergarten to Grade 6 Students**

- (a) In alignment with the Board's duty for before- and after-school programs under the *Education Act* and *O. Reg. 221/11*, the Board will assess demand and viability for before- and after-school programs for all schools serving students from Junior Kindergarten to Grade 6. This process will be led by Child Care Services and determinations about demand and viability will be made in collaboration with the CMSM.
- (b) In schools where there is demonstrated demand and viability for a before- and after-school program, this will be developed and delivered through the Board's directly operated Extended Day Programs. Where this is not possible, the Board will fulfill this duty through a third-party licensed before- and after-school program or authorized recreational and skill building program.
- (c) Where it has been determined that a before- and after-school program will be developed, a program will begin on the first day of school of the upcoming school year.
- (d) As required, Child Care Services will work with Business Services, and the CMSM to develop a Request for Supplier Qualifications (RFSQ) for the provision of third-party before- and after-school programs. Successful applicants will be pre-qualified as approved operators for before- and after-school programs but will

not be guaranteed selection to operate any programs. If an eligible before- and after-school operator already exists at the school, the RFSQ and operator selection process may be waived at the discretion of the Board.

- (e) The RFSQ will be open for submissions as required by the Board. Applications will not be accepted outside the RFSQ posting period.
- (f) RFSQ applications will be screened against submission requirements, outlined in the *Criteria for Selection of Child Care and Before- and After-School Program Operators in TDSB* (Appendix A), by a committee comprised of Child Care Services, Business Services, a representative of the CMSM, and other staff as appropriate.
- (g) In the event that a before- and after-school program operator is awarded a program, they must submit a satisfactory *Child Care & Before- and After-School Program Space Request Form* (Form 691A) to Child Care Services, requesting new space at the school. The *Child Care & Before- and After-School Program Space Request Form* requires approval from the school Principal, Child Care Services, Planning, and Toronto Lands Corporation to initiate the development/execution of a Lease Agreement.
- (h) Before- and after-school programs will operate in shared space classrooms, designated as the primary space, where students of the same age are served in the school-day program. (e.g., Kindergarten before- and after-school programs are to be located in Kindergarten classrooms, school-age before- and after-school programs are to be located in Grade 1-6 classrooms).
- (i) In addition to the primary space, alternative spaces should also be determined to support continued operations during facilities-related relocations or emergencies, or to support enhanced programming through episodic use based on school approval and scheduling.
- (j) The school staff room is to be made available for a child care staff rest area, in accordance with the *Child Care and Early Years Act*. The staff room is for the use of child care staff during lunch and breaks only, and should not be used for any other purpose unless identified in the Lease or permit agreement. Use of the staff room for a child care staff rest area is considered to be a part of the school common area and does not require a Lease or permit agreement during the school year or for summer use. Principals and child care operators should ensure that all child care staff sign the *Child Care: Information Sharing and Confidentiality Agreement* (PR692).
- (k) A Direct Lease Agreement is required for all new before- and after-school programs located in the school. The before- and after-school program operator is responsible for occupancy costs and any other costs listed in the Lease, with the exception of those rooms where occupancy is paid for by the CMSM under the Umbrella Lease Agreement. Where occupancy costs are paid for by the CMSM

under the Umbrella Lease Agreement, the CMSM must also provide approval for the *Child Care & Before- and After-School Program Space Request Form*. All before- and after-school program operators are required to abide by the terms of the Lease Agreement throughout their occupancy.

- (l) The before- and after-school program operator will not be permitted to occupy the space until they are in receipt of an executed Lease Agreement and have provided evidence of the required insurance coverage. Only spaces that are captured on the Lease will be permitted for use, with the exception of unplanned/emergency relocations.
- (m) The before- and after-school program operator will be responsible for all requirements related to regulatory standards, including but not limited to Child Care Licensing, Service Agreement for Fee Subsidy, and designation as an Authorized Recreational and Skill Building Program, as applicable and required. Should the before- and after-school program operator be unable to meet and maintain these requirements, the Board maintains the right to select another eligible operator, rescind all program approvals, and terminate occupancy.
- (n) The before- and after-school program operator will be responsible for funding for all major or minor improvements in accordance with the TDSB Tenant Service Request Process.
- (o) In order to promote integrated services, the before- and after-school program operator and appropriate school staff, including the Principal, will develop strategies and guidelines to support professional relationships among all staff, a seamless approach to programming, collaborative early learning environment(s) and intentionally designed shared space environments.

#### **6.4 Expansion and Changes to Space of an Existing Licensed Child Care or Before- and After-School Program**

- (a) For the expansion of shared space, the child care or before- and after-school program operator will obtain preliminary approval from both the Principal and Child Care Services.

For the expansion of exclusive space, the child care or before- and after-school program will put forward a request through both the Principal and Child Care Services for the review by Planning and/or the Central Accommodations Team.

- (b) Changes to occupied exclusive use and shared use spaces as identified in the Lease should be avoided as the changes can undermine the promotion of integrated instruction and child care services. With foresight of anticipated school and child care needs, child care shared use space should be planned for the long term, with a minimum target of 5 years. Exclusive use spaces likely involve investments through government capital funding or child care operators, and those occupied spaces should be planned for occupancy for periods up to 20 years.

- (c) Request for Expansion of Exclusive Space for Licensed Child Care
- (i) Expansion of exclusive space for child care will only be considered where additional space is required to support an increase to operating capacity or non-classroom spaces to support child care licensing or operational requirements.
  - (ii) The child care operator will seek approval from the CMSM for the expansion of child care, and submit this to Child Care Services.
  - (iii) Planning will assess the long term enrolment, availability of space for exclusive child care use, facility suitability, and constraints. This may include consultation and approval from the Central Accommodations Team.
  - (iv) If additional exclusive space can be allocated for child care use, the child care operator will submit the *Child Care & Before- and After-School Program Space Request Form* (Form 691A) to Child Care Services, requesting new space at the school. The *Child Care & Before- and After-School Program Space Request Form* requires approval from the school Principal, Child Care Services, Planning, and Toronto Lands Corporation to initiate the development/execution of a Lease Agreement.
  - (v) A Direct Lease Agreement is required for all expanded child care centres located in the school. The child care operator is responsible for occupancy costs and any other costs listed in the Lease, with the exception of those rooms where occupancy is paid for by the CMSM under the Umbrella Lease Agreement. Where occupancy costs are paid for by the CMSM under the Umbrella Lease Agreement, the CMSM must also provide approval for the *Child Care & Before- and After-School Program Space Request Form*. All child care operators are required to abide by the terms of the Lease Agreement throughout their occupancy.
  - (vi) The child care operator will not be permitted to occupy the space until they are in receipt of an executed Lease Agreement and have provided evidence of the required insurance coverage. Only spaces that are captured on the Lease will be permitted for use, with the exception of unplanned/ emergency relocations.
  - (vii) The child care operator will be responsible for all requirements related to regulatory standards, including but not limited to Child Care Licensing and Service Agreement for Fee Subsidies. Should the child care operator be unable to meet and maintain these requirements, the Board maintains the right to select another eligible operator, rescind all program approvals, and terminate occupancy.

- (viii) The child care operator will be responsible for funding for all major or minor improvements in accordance with the TDSB Tenant Service Request Process.
- (d) Request for Expansion of Shared Space for Child Care and Before- and After-School Programs
  - (i) In alignment with the Board's duty for before- and after-school programs under the *Education Act*, and *O. Reg. 221/11*, the expansion of before- and after-school programs is limited to sessions before the school day begins, and/or after it ends. Before- and after-school programs that have historically provided an additional lunch time session for school-age children are permitted to continue these programs at their current capacity so long as families with fee subsidies are able to access this session. Before- and after-school program expansions shall not include a lunch time session.
  - (ii) Expansion of shared space for child care or before- and after-school programs will only be considered where additional space is required to support an increase to operating capacity, or the allocation of alternative space, or non-classroom spaces to support child care licensing or operational requirements.
  - (iii) Where the expansion of shared space has received initial approval from the school Principal and Child Care Services, the child care or before- and after-school program operator will submit the *Child Care & Before- and After-School Program Space Request Form* (Form 691A) to Child Care Services, requesting new space at the school. The *Child Care & Before- and After-School Program Space Request Form* requires approval from the school Principal, Child Care Services, Planning, and Toronto Lands Corporation to initiate the development/execution of a Lease Agreement.
  - (iv) A Direct Lease Agreement is required for all new child care centres located in the school. The child care operator is responsible for occupancy costs and any other costs listed in the Lease, with the exception of those rooms where occupancy is paid for by Toronto Children's Services under the Umbrella Lease Agreement. Where occupancy costs are paid for by Toronto Children's Services under the Umbrella Lease Agreement, Toronto Children's Services must also provide approval for the *Child Care & Before- and After-School Program Space Request Form*. All licensed child care operators are required to abide by the terms of the Lease Agreement throughout their occupancy.
  - (v) The child care operator will not be permitted to occupy the space until they are in receipt of an executed Lease Agreement and have provided evidence of the required insurance coverage. Only spaces that are

captured on the Lease will be permitted for use, with the exception of unplanned/emergency relocations.

- (vi) The child care or before- and after-school program operator will be responsible for all requirements related to regulatory standards, including but not limited to Child Care Licensing, Service Agreement for Fee Subsidy, and designation as an Authorized Recreational and Skill Building Program, as applicable and required. Should the licensed child care or before- and after-school program operator be unable to meet and maintain these requirements, the Board maintains the right to select another eligible operator, rescind all program approvals, and terminate occupancy.
- (vii) The child care or before- and after-school program operator will be responsible for funding for all major or minor improvements in accordance with the TDSB Tenant Service Request Process.

## 7. EVALUATION

This Procedure is to be reviewed and updated as required but at a minimum every four (4) years.

## 8. APPENDICES

Appendix A: Criteria for the Selection of Licensed Child Care and Before- and After-School Operators in Schools

## 9. REFERENCE DOCUMENTS

### Policies:

- Early Learning and Care Policy (P022)
- Optional Attendance Policy (P013)

### Procedures:

- Child Care: Occupancy Review (PR662)
- Child Care: Information Sharing and Confidentiality Agreement (PR692)
- Child Care & Before- and After-School Program Space Request Form (Form 691A)
- Optional Attendance Procedure (PR545)

### Other Documents

- *Child Care and Early Years Act*
- *Education Act*
- Ontario Ministry of Education - Before- and After-School Programs- Kindergarten - Grade 6: Policies and Guidelines for School Boards (2018)
- Ontario Regulation 221/11