

Toronto District School Board

Operational Procedure PR662

Title: **CHILD CARE: OCCUPANCY REVIEW**

Adopted: January 26, 2000

Revised: **August 18, 2009¹**

Reviewed: April 2012

Authorization: Executive Council

1.0 OBJECTIVE

To establish a procedure for reviewing the occupancy by child care centres in relation to the Board's space accommodation requirements

2.0 RESPONSIBILITY

Deputy Director Operations and Chief Facilities Officer

3.0 DEFINITIONS

Accommodation Review Committee (ARC): A committee that is established when changes under consideration include the consolidation of two or more schools; the closure of a school; or the relocation of a grade, grades, or program where the change would affect more than 50 percent of the enrolment of a school (refer to policy P068, Accommodation and Program Review)

Child Care Lease Agreement: An agreement between a child care centre operating on TDSB property and the Board for the use of exclusive and shared space

Children's Services: The division of the City of Toronto responsible for managing child care services

Deep Retrofit: A major renovation that provides new building systems, new finishes, and reconfigured space

Disposition: Sale of a school site, or sale of a portion of a school site

Exclusive Space: Space leased for the exclusive use of child care programs serving infants, toddlers, or preschool children (aged infant to five years) in order to meet licensing requirements

¹ Formerly called Child Care: Space Accommodation in Schools

Non-operating School: A site approved for closure as a regular Board day-school program

Operating School: A facility housing a regular Board day-school program

Replacement School: A new school that is built when an existing school building can no longer support the delivery of education programs because the condition of the building has deteriorated

Shared Space: Space under the Child Care Lease Agreement available to school-age programs (also known as Before- and After-School Programs), serving children aged six to twelve years and shared with a regular day-school program

4.0 PROCEDURES

4.1. Introduction

The Board's primary responsibility is to fulfill its educational mandate. In addition, the Board supports child care in schools as an integral component of the education system and recognizes the need for security in child care centre occupancy arrangements, in accordance with the Child Care in Schools and Early Years Policies.

In response to factors such as increased enrolment, the introduction of new programs, the replacement or deep retrofit of a school, or the establishment of an Accommodation Review Committee to consider the consolidation of two or more schools or the closure of a school, it may be necessary to terminate the Lease Agreement with a child care centre.

The purpose of this procedure is to establish a process for decision making about child care space accommodation that incorporates the following elements:

- (a) the timely provision of projections of enrolment data
- (b) the early identification of the Board's future space and program needs
- (c) a collaborative process involving all key stakeholders
- (d) a reasonable timeline for conducting the process
- (e) the provision of a minimum of one-year's notice to terminate the Lease Agreement, should such a decision be reached through this process

The Board's responsibilities and liabilities are only as set forth in the Child Care Lease Agreement, and this document does not amend same.

4.2. Child Care Occupancy Review in Operating Schools

- (a) In the winter term of each school year, the Planning Division will prepare annual enrolment projections for each school, and the school's principal will plan for anticipated space utilization for the upcoming two years, based on these projections.

- (b) If it appears that there will be a shortage of space to accommodate school programs in the upcoming two years, or if it is likely that a school housing a child care centre will be closed, consolidated, replaced, or will undergo a deep retrofit, the Superintendent of Education will convene a Child Care Occupancy Review Committee (CCORC) to examine options for the affected child care program(s). The mandate and membership of the CCORC are outlined in Appendix A.
- (c) In situations where an ARC has been established, the timelines of the CCORC will parallel those of the ARC, and the CCORC will report back to the ARC accordingly.
- (d) Facility Services staff and the Child Care Services manager will work with Planning staff and the affected child care operator(s) to identify a list of potential sites for relocation, if necessary, in consultation with the principal, the Superintendent of Education, and the local trustee. The child care operator(s) will also be encouraged to seek other options.
- (e) The Superintendent of Education will submit the report of the CCORC to the Executive Superintendent, Facility Services for consideration and will send a copy to the local trustee.
- (f) If the TDSB and the child care operator cannot come to an acceptable resolution, the Chief Facilities Officer will issue a Notice to Terminate to the child care operator (subject to the terms of the Child Care Lease Agreement) and will send a copy to the General Manager, Children's Services.
- (g) In accordance with the Lease Agreement, the Notice to Terminate must be received by the child care operator by June 15 of any given year, effective June 30 of the following year.

4.3. Consolidation of Schools Involving More Than One Child Care Operator

- (a) Where a school consolidation involves more than one child care program, a single child care operator will be selected to serve the consolidated school's population.
- (b) Through the CCORC, the Facility Services staff and the TDSB Child Care Services Manager will work with the affected child care operators to consider a voluntary amalgamation of programs into a single child care program.
- (c) If the affected child care operators are not able to reach a voluntary agreement for an amalgamation of their programs, the Chief Facilities Officer will issue Notices of Termination to both Child Cares.
- (d) The TDSB Child Care Services Manager will conduct an "expression of interest" for a child care centre in the consolidated school, according to Procedure PR691, Child Care: Expanding Existing Space and Establishing New Space in Operating Schools.

- (e) The Board will work with the appropriate levels of government to support the expansion of physical space and the maintenance of existing child care subsidies to meet the needs of children attending the consolidated school, consistent with the Board's space requirements.

4.4. Child Care Occupancy Review in Non-Operating Sites

- (a) In accordance with the Lease Agreement, when a non-operating site is under consideration for disposition or redevelopment, the Notice to Terminate must be received by the child care operator by June 15 of any given year, effective June 30 of the following year. The General Manager, Children's Services and the local trustee will also be informed.
- (b) Facility Services staff and the TDSB Child Care Services Manager will work with Planning staff and the child care operator to identify a list of potential sites for relocation.

5.0 APPENDICES

Appendix A: The Child Care Occupancy Review Committee

6.0 REFERENCE DOCUMENTS

Board Policies

P068, Accommodation and Program Review

P022, Child Care in Schools

P059, Early Years

Board Operational Procedures

PR691, Child Care: Expanding and Establishing Space in Operating Schools

PR662, Child Care: Space Accommodation in Schools

The Child Care Occupancy Review Committee

Mandate

The Child Care Occupancy Review Committee (CCORC) is an advisory body comprising key stakeholders, established to examine options for child care occupancy in response to situations where it may be necessary to terminate a Lease Agreement. Such situations might include an increase in enrolment, the introduction of new programs to a school, the consolidation of two or more schools, the closure of a school, the replacement of a school, or the deep retrofit of a school. The recommendations will be offered through a report that will be submitted by the Superintendent of Education to the Executive Superintendent, Facility Services.

In situations where an Accommodation Review Committee (ARC) has been established, the timelines of the CCORC will parallel those of the ARC, and the CCORC will report back to the ARC accordingly.

Membership

- Superintendent of Education for the area in which the child care centre(s) is/are located (Chair)
- Principal of the school(s) where the child care centre(s) is/are located
- Three representatives from the child care centre(s) (It is strongly recommended that the owner or a representative from the Board(s) of Directors attend.)
- School Council representative
- Child Care Services Manager(s)
- Facility Services staff, as appropriate
- Planning Division staff
- Local trustee, as appropriate
- Toronto Children's Services staff, as appropriate

Activities

The CCORC will review and consider the following:

- Actual and projected school enrolment for five years
- Site and floor plans and the utilization of school space
- The number of out-of-district students attending the child care centre(s)
- Terms of the existing Child Care Lease Agreement(s)
- Terms of existing Lease Agreements with other community programs
- Relevant Board initiatives and decisions (e.g., the introduction of a new program; school closure, consolidation, or replacement; or a major renovation)
- The number of school students served by the child care centre(s) and the potential effect on school enrolment if the child care centre(s) were to vacate
- The ways in which the existing child care program(s) benefit/s the school community

- The existing level of child care service and community need, according to the Children's Services Service Plan for Child Care

The CCORC will also consider the following options:

- Lease adjustments, such as converting exclusive space to shared space in order to expand accommodation possibilities
- The creative exploration of all possible alternatives for school and child care space utilization
- Relocating the child care program to alternate space in a Board school
- Renovating unused or underused space for school or child care use
- The voluntary amalgamation of child care programs in consolidated schools