

DATE: November 6, 2018

TO: Board of Trustees

FROM: Darrel Robertson, Superintendent of Schools

SUBJECT: Response to Relationships and Leases with Childcare Organizations
(Response to Request for Information #026)

ORIGINATOR: Dr. Lorne Parker, Assistant Superintendent

**RESOURCE
STAFF:** Leanne Fedor, Kris Uusikorpi, Christopher Wright

REFERENCE: September 11, 2018, Board Meeting

ISSUE

The following information was requested: *that Administration respond to the following questions: 1. How does the District manage relationships and leases with childcare organizations? 2. If a school no longer has space to accommodate a childcare organization, how does the District ensure that partnerships are to be ended in a mutually beneficial way? 3. Is there a minimum required notice to end a lease agreement with a childcare organization?*

BACKGROUND

For the 2018–2019 school year, there are 65 lease tenants offering child care in 106 operational Edmonton Public Schools. Of the 65 lease tenants, 11 providers offer child care in more than one site. The child care tenants provide a variety of services for both District students and the community at large. Child care includes: before and after school care for school-age children attending the school, kinder-care for Kindergarten students attending the school, day care, pre-school, pre-kinder, play school, and Head Start programs attended by children who are not yet school age. With the exception of before and after school care, the other child care providers require dedicated space for the provision of their services. Child care tenants are situated where school facilities meet child care programming needs and where space permits. As such, child care tenants are spread across the entire city, with the majority of leases occurring in elementary and elementary/junior high schools (Appendix A).

CURRENT SITUATION*1. How does the District manage relationships and leases with childcare organizations?*

Infrastructure Leasing Services staff work with schools, tenants and other central staff in Infrastructure Programs and Student Accommodation (PSA), Infrastructure Project Management, Infrastructure Maintenance and Infrastructure Planning to help manage relationships and leases with childcare organizations. In compliance with the *School Act*, the District practice is to enter into leases for a maximum one-year term (Appendix B). All leases with the District are aligned with the District fiscal year end and are typically executed prior to the end of the previous school year (August).

Conversations with tenants primarily occur between the school administration and the tenant in their school. Childcare programming and school programming collaborate to ensure the success of both

programs operating in unified space. Many of the opportunities, concerns or issues are dealt with on site, and are resolved quickly. School administration staff and tenants are mutually encouraged to contact Leasing Services if there are questions or concerns, if work is required in the tenant space, or if the school is requiring maintenance or renovations that may affect the tenant.

As part of the lease renewal process, Leasing Services invites tenants to meet on a yearly basis. These meetings provide a one-on-one opportunity for Leasing Services staff to discuss any concerns or issues the tenants may have, and also provides an opportunity to share some of the current District context on leasing. At these meetings, tenants sign their lease documents for the upcoming year and any questions or comments can be addressed. These personal connections have proven to be extremely beneficial as the tenant and the District work together throughout the school year.

On an ongoing basis, Leasing Services supports schools and tenants in navigating conversations about the unique relationship that comes from being a tenant in an operating school. All discussions keep District Policy in mind and are viewed through the lens of the District Cornerstone Values: Accountability, Collaboration, Equity and Integrity.

2. If a school no longer has space to accommodate a childcare organization, how does the District ensure that partnerships are to be ended in a mutually beneficial way?

Leases are typically located in classroom space. When enrolment increases in a school, those spaces may need to be reclaimed to provide programming for students. Increasing enrolment can be a result of attendance area students or the addition of specialty programming to the school, such as Alternative Programs or Special Education programs. Site based school arrangements to support the needs of our most vulnerable students may influence long-standing lease arrangements and tenant use of dedicated space.

Once pre-enrolment concludes in late April, the process of renewing lease documents commences. Leasing Services staff begin the process by confirming with school administration that the space occupied by the tenant is not expected to change for the upcoming year. The average of leases renewed year over year is 95 per cent. In advance of the lease renewal process and throughout the year, staff in Leasing Services work with school administration, PSA and Infrastructure Planning to learn which schools are facing or may be experiencing enrolment pressures. Working with the Central departments, schools are encouraged to let tenants know what is going on in the school with regard to enrolment pressures. Historically, we have seen enrolment pressure in the suburban areas of the city, i.e. around the Anthony Henday ring road and especially in the south and southeast areas of the city. Although suburban pressure continues, in the last few years the need to reclaim space in core areas of the city is also occurring more frequently.

When it is determined that a school is no longer able to offer dedicated space for childcare, the first action schools and Leasing Services take is to discuss whether there would be an opportunity to offer shared space in the school for a tenant to operate an out-of-school care for school-aged children who attend that school. Very often the schools are able to do so and the tenant continues the out-of-school care portion of their childcare operation. When a tenant and a school share space, it is classified as a roll away program whereby the provider keeps their program activities on a cart and it is rolled into a shared space before and after school.

When leases cannot be continued, Leasing Services connects with the tenant to share the process for being considered for dedicated space in other District schools. If the tenant is interested in potentially leasing space from Edmonton Public Schools in the future, the information for applying for lease District space is shared. Whenever new space becomes available for lease, the leasing application information is consulted to create a short list of possible tenants. The relationship between an operational school and their tenant is unique and in order to best serve our students and the community, we engage in a diligent screening and interview process to ensure there is a good fit for both the tenant and the school.

Leasing Services also provides outgoing tenants with contact information for leasing services provided by other school districts, and will check in with former tenants on how they are doing. In some cases, Leasing Services has also worked with schools to temporarily accommodate an outgoing tenant by sharing space while they are in transition and preparing a new location for use.

Wherever possible, the District endeavors to inform and work with our tenants as soon as possible when their lease space is required to change. Although our District-wide student count has been very accurate, unpredictable enrolment patterns can sometimes affect the amount of time available to have these discussions with tenants. Most tenants who are not having their space renewed are given considerable notice and it is only in rare instances where the minimum notice requirements occur.

3. Is there a minimum required notice to end a lease agreement with a childcare organization?

Tenants who have been in a school for a number of years can develop a sense of ownership for their location as they are often the constant entity as students and school administration come and go. Although it is our wish to provide as much notice as possible to tenants, there is a termination clause in our lease agreements indicating the District will provide at least 90 days' notice. This provides enough time from the end of the pre-enrolment period to the conclusion of a tenant's existing lease agreement in August.

In most cases where a lease agreement is ending at a school, Leasing Services and the school work with the tenant and request that the tenant continues operations to the end of June. This helps to ensure the continuation of child care services to the end of the school year. This also allows for maintenance and fit-up work to occur in July and August to prepare the former tenant space for student use in the new school year.

KEY POINTS

- As District enrolment continues to increase, enrolment pressures are being experienced throughout the city.
- School Space is a finite resource and there are competing interests for space for District use in support of students, e.g., regular programming, alternative programming, and special education; other District uses, e.g., Inclusive Learning staff and Metro Continuing Education; as well as District service providers, e.g., The Family Centre.
- When space is required for Kindergarten to Grade 12 programming, and the space is being occupied by a tenant, the District will recover that space for instructional purposes.
- In compliance with *the School Act*, District practice is to offer leases for a maximum of a one-year term to allow flexibility to fulfill the District mandate (Appendix B).

- If a lease for dedicated space is not renewed, wherever possible school administration and Leasing Services work with child care providers to ensure the continuation of before and after school care in shared space with a roll away program.
- On average the District renews an estimated 95 per cent of all leases year over year.
- Of our 65 child care lease tenants, 94 per cent have been leasing space with the District for 10+ years.

ATTACHMENTS and APPENDICES

APPENDIX A EPSB Child Care Tenants 2018–2019

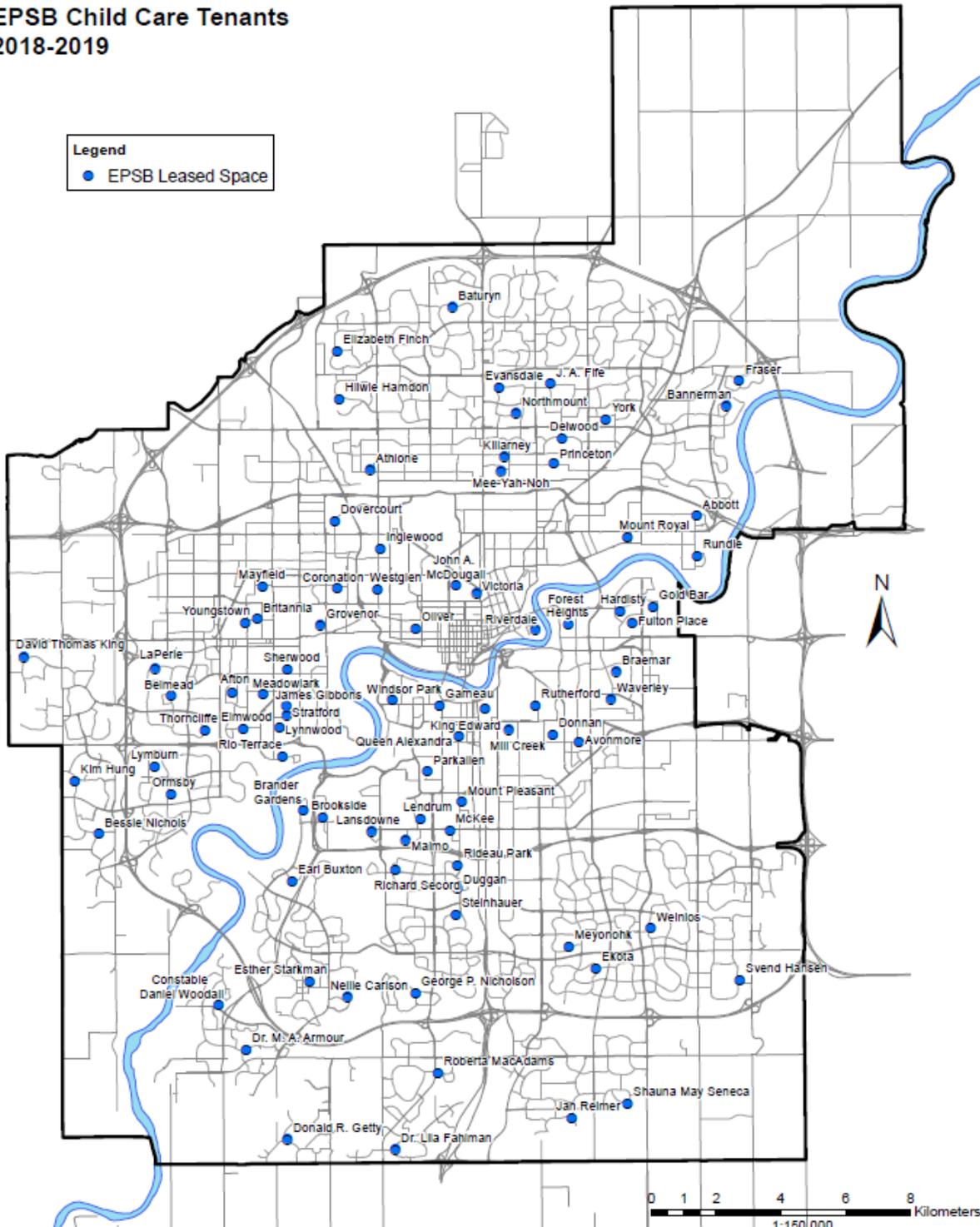
APPENDIX B Disposition of Property Regulation

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EDMONTON PUBLIC SCHOOLS

EPSB Child Care Tenants 2018-2019

Legend
● EPSB Leased Space



Province of Alberta Learning

SCHOOL ACT

DISPOSITION OF PROPERTY REGULATION

Alberta Regulation 181/2010

Extract

Part 2

Lease, Sale or Transfer of

Real Property

Lease of real property

8(1) Notwithstanding section 200(2) of the Act, a board may, without the approval of the Minister,

- (a) lease any real property that is neither a school building nor a portion of a school building,
- (b) lease a school building or portion of it for less than 12 months, and
- (c) lease a school building or portion of it for 12 months or more if the lease contains a termination provision allowing the board to terminate the lease on 12 months' notice