

SURPLUS LANDS AND BUILDINGS

The Board believes that when land and buildings become surplus to needs, the Board should arrange for the effective disposal of these items.

The authority of the Board is derived from the *School Act* and the *Disposition of Property Regulation*, which permit the Board to:

1. Determine whether the Board has use for a school building which has been closed pursuant to the *Closure of Schools Regulation* and Board Policy 15: School/Program Closure; and
2. For the purposes of section 672 of the *Municipal Government Act*, declare that the Board is of the opinion that an interest in a school reserve, municipal and school reserve or municipal reserve is surplus to the Board's needs.

GENERAL

1. The Board should dispose of land and buildings in the best interest of the students of the Division and the community, pursuant to existing government legislation and regulation.
2. Disposing of surplus land and buildings requires the approval of the Board of Trustees.
3. In assessing the criteria, the Board is not required to hold public consultation.
4. The Board is required to review whether a closed school or reserve land is surplus to its needs at least every three years.

DETERMINATION WHETHER THE BOARD HAS USE FOR A CLOSED SCHOOL BUILDING

1. If a school building has been closed pursuant to the *Closure of Schools Regulation*, the Superintendent of Schools will provide a recommendation to the Board concerning whether there is no use for the school building, and, if so, whether the school building is temporarily surplus to the Board's needs or permanently surplus to the Board's needs.
2. In determining whether a school is temporarily or permanently surplus to the Board, the Board shall consider all of the following criteria:
 - a. Demographic factors, including but not limited to:
 - i. Population and demographic data for the surrounding area;

- ii. The former enrolment of the school, and enrolment trends in the foreseeable future including the state of residential development or redevelopment;
 - iii. The location and proximity of other schools, and their potential enrolment in the foreseeable future.
 - b. Other potential public educational uses for the building in the foreseeable future (this is intended to refer to use by public (not private) school authorities);
 - c. the likely cost to staff and operate an educational program at the school in the foreseeable future, including student accommodation and transportation issues;
 - d. The facility condition and the cost to maintain the facility in, or restore the facility to, a usable condition, and other costs of ownership; and
 - e. Such other criteria as the Board may consider relevant.
- 3. If the Board determines that there is no present use for the school building, but that there may be a need for the school building in the foreseeable future, the Superintendent may investigate the lease the school building in accordance with the *Disposition of Property Regulation*.
 - a. Notwithstanding section 200(2) of the School Act, the Board may, without approval of the minister:
 - i. Lease any real property that is neither a school building or a portion of a school building;
 - ii. Lease a school building or a portion of it for less than 12 months; and,
 - iii. 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.
- 4. If the Board cannot identify a use for a school building in the foreseeable future, the Board may attempt to sell the school building in accordance with the *Disposition of Property Regulation*.

DETERMINATION WHETHER RESERVE LANDS ARE SURPLUS

- 1. The Board may determine that, in its opinion, an interest in a school reserve, municipal and school reserve or municipal reserve is surplus to the Board's needs, and shall consider the following criteria:
 - a. Enrolment trends within the area intended to be served by the school reserve, municipal and school reserve or municipal reserve,

- b. Residential development progression,
 - c. Student accommodation and transportation issues,
 - d. Whether a school on the school reserve, municipal and school reserve or municipal reserve is included in the Board's capital plans (three-year and ten-year),
 - e. Whether other school boards have a need for the school reserve, municipal and school reserve or municipal reserve, and
 - f. Such other criteria as the Board may consider relevant.
2. In the event of the Superintendent recommending a determination that an interest in reserve lands is surplus to the Board's needs, or upon the Board considering whether an interest in reserve lands is surplus to the Board's needs, the Superintendent shall consult with other school boards operating in the area whether those school boards have a need for the reserve lands.
3. If upon considering the factors above, the Board is of the opinion that the school reserve, municipal and school reserve or municipal reserve is surplus to the Board's needs; the Board shall provide the Minister of Education with a declaration to that effect.

Legal Reference: School Act – section 200
Disposition of Property Regulation
Municipal Government Act - section 672
Closure of School Regulation

1 st Reading	May 2011
2 nd Reading	May 2011
3 rd Reading	June 2011