

DISPOSITION OF REAL PROPERTY

Background

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

The Division should dispose of land and buildings in the best interests of the students of the Division and the community, pursuant to existing government legislation and regulation.

Procedures

- 1) If a school building has been closed pursuant to the Education Act Section 62 the Superintendent of Schools will provide a recommendation to the Board concerning whether there is a use for the school building, and if not, 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's needs, 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;
 - 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;
 - c) the likely cost to staff and operate an educational program at the school in the foreseeable future;
 - d) the cost to maintain the facility in, or restore the facility to, a usable condition, and other costs of ownership;
 - 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 of the school building in accordance with the *Disposition of Property Regulation 86/2019*.
- 4) If the Board cannot identify a use for a school building in the foreseeable future, the Board may attempt to dispose of the school building in accordance with the *Disposition of Property Regulation 86/2019*.

- 5) 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 reserve land,
 - b) student accommodation and transportation issues,
 - c) whether a school on the reserve land is included in the Board's capital plan,
 - d) whether other school boards operating in the area have a need for the reserve land, and
 - e) such other criteria that the Board may consider relevant or necessary.

- 6) If upon considering the factors above, the Board is of the opinion that the reserve land is surplus to the Board's needs; the Board shall provide the Minister of Education with a declaration to that effect.

- 7) In assessing the above criteria, the Board is not required to hold public hearings.

- 8) Where the school building which is the subject of consideration above was the subject of public consultation concerning the closure of that school, and there have been no substantial change in the circumstances between the closure of the school and this consideration, the Board may consider the submissions made concerning the school closure process.

December, 2003

Update: July, 2011; Jan. 2020

References

Section 33, 52, 53, 68, 222 Education Act

Disposition of Property Regulation 86/2019