

*MEDICINE HAT PUBLIC BOARD OF EDUCATION OPERATES AS MEDICINE HAT PUBLIC SCHOOL DIVISION,
AND FOR THE PURPOSE OF THIS DOCUMENT WILL BE REFERRED TO AS "MHPSD" AND/OR "DIVISION"*

SECTION 800 – Facilities and Transportation

POLICY 814: DISPOSAL OF REAL PROPERTY

BACKGROUND

School Boards are required to have a policy in place to:

1. determine whether a closed school building is surplus to their needs, and
2. determine whether unused school reserve lands are surplus to its needs.

The authority of the Board is derived from the Education 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 812 – School and Program Closure and Relocation; 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.

POLICY

Closed School Building - 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:
 - 2.1. demographic factors, including but not limited to:
 - 2.1.1. population and demographic data for the surrounding area;
 - 2.1.2. the former enrolment of the school, and enrolment trends in the foreseeable future;
 - 2.1.3. the location and proximity of other schools, and their potential enrolment in the foreseeable future.
 - 2.2. other potential public educational uses for the building in the foreseeable future;
 - 2.3. the likely cost to staff and operate an educational program at the school in the foreseeable future;

- 2.4. the cost to maintain the facility in, or restore the facility to, a usable condition, and other costs of ownership;
- 2.5. 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.
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, and the following Process section of this policy (if applicable).

Reserve Lands - 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:
 - 1.1. enrolment trends within the area intended to be served by the school reserve, municipal and school reserve or municipal reserve,
 - 1.2. student accommodation and transportation issues,
 - 1.3. whether a school on the school reserve, municipal and school reserve or municipal reserve is included in the Board's capital plan,
 - 1.4. whether other School Boards have a need for the school reserve, municipal and school reserve or municipal reserve, and
 - 1.5. such other criteria as the Board may consider relevant.
2. If upon considering the factors above, the Board is of the opinion that the reserve land is surplus to the Board's needs, the Superintendent shall consult with other School Boards operating in the area as to whether those Boards have a need for the reserve lands.
3. If upon considering all of 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.

PROCESS

1. In assessing the above criteria, the Board is not required to hold public consultations.
2. Where the school building in question was the subject of public consultation concerning the closure of that school, and where there has 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.



REFERENCES

Policy 812 – School and Program Closure and Relocation

Municipal Government Act

Agreement with the City of Medicine Hat – Regarding Reserve Lands

Approved: June 19, 2012

Revised: _____

