



POLICY 22
DISPOSAL OF LAND AND BUILDINGS

The Board believes that the disposal of land and buildings is an important and public decision, which should consider the history of the area, the future needs of the Division, and the best potential use of the property.

Procedures

1. Determining Surplus School Property

- 1.1 When a school has been closed pursuant to the Closure of Schools Regulation (AR 238/97, School Act) or its predecessor regulation, the Board may determine the school and its lands to be surplus after considering:
 - 1.1.1 Demographics of the area which reflect its historical attendance boundary or a new potential attendance boundary;
 - 1.1.2 Other public educational uses for the property or restrictions to uses for the property;
 - 1.1.3 Carrying costs of mitigating the liability associated with unoccupied property; and
 - 1.1.4 Municipal use of the property including Joint Use Agreements.
- 1.2 The Board, based on the information presented, will determine whether the property is surplus for educational purposes.
 - 1.2.1 If the property is deemed surplus, the board may then consider non-educational use of the property or disposal.
 - 1.2.2 If the property is not deemed surplus, the Board shall:
 - 1.2.2.1 Direct administration to pursue an alternate educational use; or
 - 1.2.2.2 Make a motion to review the property within a period of not more than 3 years.

2. Determining Surplus Interests in Reserve Lands

- 2.1 “Reserve Lands” include school reserve, municipal reserve, or municipal and school reserve.
- 2.2 “Interests” include property titled in the name of the Board or its predecessors as well as any municipal property designated as reserve lands.
- 2.3 In determining surplus interest in reserve lands the Board will consider:
 - 2.3.1 Enrolment trends within the area intended to be served by the reserve lands;
 - 2.3.2 Student accommodation and transportation issues;
 - 2.3.3 Whether a school on the reserve lands is included in the Board’s capital plan; and
 - 2.3.4 Consultation with other boards with respect to their needs for the reserve lands.
- 2.4 The Board, based on information presented, will determine whether the interest in reserve lands is surplus, and may notify the municipality of its decision.

3. Disposal of Surplus Real Property

- 3.1 Disposal by way of lease, sale or transfer of real property shall be in accordance with provincial legislation.

Legal Reference: School Act s. 2000
Disposition of Property Regulation (School Act, AR 181/2010)
Policy 2 – Role of the Board

Developed: May 4, 2011