

DISPOSITION OF REAL PROPERTY

Scope And Authority

1. The authority of the Board is derived from the *Education Act* and the *Disposition of Property Regulation*, which permit the Board to:
 - a. determine whether the Board has use for a school building which has been closed pursuant to the *Education Act* and Board Policy 15: School/Program Closure; and
 - b. 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.

Determination Whether The Board Has Use For A Closed School Building

1. If a school building has been closed pursuant to the *Education Act*, the Superintendent of Schools, or designate, 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;
 - 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.

4. 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, or designate, may investigate the lease the school building in accordance with the *Disposition of Property Regulation*.
5. 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 of this Policy (if applicable).

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. student accommodation and transportation issues,
 - c. whether a school on the school reserve, municipal and school reserve or municipal reserve is included in the Board's capital plan,
 - d. the length of time that the school reserve, municipal and school reserve or municipal reserve has existed and has not been needed by the Board,
 - 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, or designate, 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, or designate, 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.

Process

1. In assessing the above criteria, the Board is not required to hold public consultations.

2. 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.

Reference: Education Act; Section 672 Municipal Government Act; Disposition of Property Regulation, Alta Regulation 86\2019

Amended: June 2018
June 11th, 2020