

SURPLUS LAND AND BUILDINGS

Background

The Board believes that when land and buildings become surplus to needs, the Board should arrange for the effective disposal of these items. Alberta Education approved a revised *Disposition of Property* Regulation in December 2010. Significant changes in the regulation include the requirement for Boards to have policy in place to determine whether a closed school is surplus to the Board's needs, and, to determine whether unused school reserve land is surplus to the Board's needs.

Scope and Authority

1. The authority of the Board is derived from the *School 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 *Closure of Schools Regulation* and Board Policy 15: School 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 a 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 a 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. 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.
5. 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*.
6. 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 section C of this Policy (if applicable).

Determination whether Reserve Lands are Surplus

7. 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. whether other school boards have a need for the school reserve, municipal and school reserve or municipal reserve, and
 - e. such other criteria as the Board may consider relevant.
8. 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.
9. 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

10. In assessing the above criteria, the Board is not required to hold public consultations.
11. 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: Disposition of Property Regulation, *School Act*
Board Policy 15: School Closure
Section 672 of the *Municipal Government Act*