

APPENDIX K

District Policy and Regulation 704 – Retirement of School Facilities

FACILITIES

Policy 704 (previously Policy 904)

Retirement of School Facilities

Disposal of School Board Land or Improvements

It shall be the policy of the Board to dispose of by lease, sale or land exchange, in whole or in part, any unused Board land or improvements, provided such disposal does not conflict with or detract from the regular or extracurricular program of a school or the current or future educational needs of the school district.

The disposal shall be through a public process, and shall be at fair market value.

School Closure and/or Consolidation

The Board recognizes that declining and shifting student populations may necessitate the consolidation and/or closure of schools from time to time. It is the policy of the Board to bear in mind the possible impact on other Board policies, such as its attendance area policies and its policies pertaining to personnel assignment. It is the declared intent of the Board to make its policies and regulations on school closure clear to all concerned, to provide ample lead time before closing any school, and to support a process that provides an opportunity for those who will be affected to be involved before any decision is made.

The Board has approved regulations for implementing school closures. These are an integral part of the Board's policy, and may not be changed except by Board action. (See Board Regulation 704-R (formerly 904-R).

FACILITIES

Policy 704-R (previously Policy 904-R)

Retirement of School Facilities

Disposal of School Board Land or Improvements (In Whole or In Part)

In order to determine whether the School Board may dispose of Land or Improvements ("Facility"), the following guidelines shall be used:

1. Each Facility shall be considered on its own merit.
2. No part of a Facility shall be made available for rent or lease during regular school hours if it is felt that to do so would interfere with the District's educational program being offered in the Facility.
3. No consideration shall be given to the disposal of any Facility until staff have had an opportunity to review, with the Board, and the Board has considered, the current and future educational needs of the District and possible alternate uses of the Facility. Community use of a Facility shall also be considered, being mindful of Item 2 above.
4. When the Board has decided that a Facility is no longer required to serve the needs of the District and will not be required for future educational purposes, the Board shall, subject to the orders of the Ministry of Education, dispose of the Facility through a public process. Unless Item 5 applies, the Board must make the Facility to be disposed of available to the public on the terms the Board proposes.
5. The Board is not required to make a Facility available to the public if the Board proposes to dispose of the Facility:
 - a) to a not for profit corporation;
 - b) to a public authority;
 - c) to a person who, as part of the consideration for the disposition, will exchange land or an improvement with the Board;
 - d) to a person under a partnering agreement that has been the subject of a process involving the solicitation of competitive proposals; or
 - e) to an owner of adjoining land for the purpose of consolidating the lands.
6. Regardless of whether Item 5 applies, the Board must dispose of a Facility through a public process as follows:
 - a) If the disposition is to a person referred to in Item 5, then the Board may only proceed with the disposal after it has passed a bylaw at a public meeting of the Board approving the disposal, provided that the Board has published, on its publicly accessible website or in some other public manner, notice of its agenda at least seven (7) days prior to the meeting, and the notice includes:

Adoption: 05 March 1990

Board Adoption with Revisions: 07 April 2003

Board Adoption with Revisions: 02 September 2003

- i) a description of the land or improvements;
 - ii) the person or public authority who is to acquire the property under the proposed disposition;
 - iii) the nature and, if applicable, the term of the proposed disposition; and
 - iv) the consideration to be received by the Board for the disposition.
 - b) For all other dispositions, the Board shall post at the Facility, a sign visible from a public street indicating the nature of the proposed disposition, and the Board shall publish a notice in a local newspaper for at least two (2) consecutive weeks that includes:
 - i) a description of the land or improvements;
 - ii) the nature and, if applicable, the term of the proposed disposition; and
 - iii) the process by which the land or improvements may be acquired.
7. Any proposed transferee or lessee of a Facility must satisfy the Board that it has the ability to meet its financial obligations to the Board, and the Board must be satisfied that the disposition of the Facility is at fair market value.
8. The City of Richmond shall be advised when the Board is proceeding with the disposal of any Facility, in order that it may make suitable arrangements for alternate space for any of its programs that will be affected by the disposal.

School Closure Process

At the request of the Board and/or Superintendent of Schools, and/or as a result of a concern for the educational program(s) in the school(s), staff will investigate the need to consolidate and/or close schools. To assist staff the following school closure process should be adhered to:

1. A school may be considered for closure when there is sufficient space to accommodate the students in neighbouring schools. In addition, at least one of the following conditions must exist:
 - a) The present and the three-year enrolment projection is 25% or more below capacity;
 - b) 20% or more of the children in a catchment area do not attend the school;
 - c) 20% or more of the children attending the school are from outside the catchment area;
 - d) The operating cost per student is above the district average;
 - e) There is a need for significant capital expenditures to keep the building operational;
 - f) The facilities restrict appropriate educational programming;
 - g) The facilities have inappropriate accommodation for pupils and/or teachers;
 - h) Any schools with a total enrolment lower than 100 (fte).
2. A report is prepared and presented to the District Management Committee indicating which school(s) have been identified for possible closure. The report should include information on each item for each school and an appropriate educational rationale. (See 1 (a) to (h)).
3. Based on the report, and such additional information as may be required, the District Management Committee decides which school(s) identified warrant further action.

4. A report and preliminary recommendation(s) will be prepared and presented to the Board of Education (Richmond). The community is informed that this report is being presented to the Board. (See Board Policies and Regulations in the 802 sequence.)
5. If the Board determines that further investigation and/or action is required, the Superintendent of Schools will appoint a committee and establish a timeline:
 - a) The committee shall comprise:
 - Superintendent, or designate
 - Secretary Treasurer, or designate
 - Representative of the City of Richmond Planning Department
 - School's Principal, or delegate
 - Two parent representatives, or alternates (from both schools, if two schools are involved)
 - b) The committee's terms of reference will include:
 - i) compliance with Board Regulation 802-R, Citizens' Involvement in Decision-Making;
 - ii) further examination and analysis of the data used in the identification of schools for possible closure;
 - iii) detailed examination/analysis of data collected relative to criteria to be used when deciding on school facilities for school closure for the school or groups of schools being considered;
 - iv) preparation of a preliminary report which may include one or more alternative courses of action;
 - v) presentation to and feedback from public meetings of appropriate and interested groups of the community or communities concerned, with at least 30 days' notice, and with no fewer than three Trustees present;
 - vi) preparation and presentation of a final report including recommendation(s) to the Superintendent of Schools.
6. The Superintendent of Schools will prepare and present a report to the Board of Education (Richmond). The report will include the final report and recommendations of the committee. At least two calendar months must elapse between this item and Item 4.
7. The Superintendent of Schools will be responsible for implementing any recommendation(s) adopted by the Board of Education (Richmond) and shall ensure that disruptions are minimized during any transitions required as a result of the implementation of the recommendation(s) adopted. The time from the adoption date to the implementation date will be no less than three full months.