

## 904.1 Surplus Space

### Policy

Space in schools and other Division buildings not being used for the provision of education in accordance with division programs, shall be declared as surplus. Surplus space shall be made available for Division and/or community use wherever possible. The Division may, at its discretion, lease surplus school space on an annual basis.

### Regulations

1. Space that is surplus to school needs shall be identified jointly by the Director of Facility Services and the principal. Final authorization shall be made by the Associate Superintendent, Business Affairs.
2. Use of school space for other than Division activities shall be compatible with the Board's educational aims, objectives, and normal school operations. Such use must comply with municipal zoning by-laws and the Joint Use Agreement.
3. Priority in allocating surplus space should be given to uses for which Alberta Education gives an exemption from fixed capacity.
4. In the event that requests for space exceed the available surplus, the following order of priority shall apply:
  - 4.1 Division needs (e.g. Division programs and services);
  - 4.2 those groups providing for general community or public needs (e.g. early education programs, before and after-school care, day care, etc.);
  - 4.3 those groups involved in non-profit educational projects and not necessarily community projects;
  - 4.4 all other groups and/or individuals.
5. Where available, surplus space may be leased on an annual basis in accordance with the provisions of the Education Act on the use of vacant school space.
6. Revenue generated by a lease of space in Division facilities shall accrue to the Division.
7. In the case of leases for commercial uses such as private schools, the Division shall be adequately compensated by rental fees. The rates charged for leasing of surplus space in schools shall reflect market rates and be in accordance with approved fee schedules.

8. Lease agreements shall be in accordance with Division policy and procedures:
  - 8.1 Leasing of classroom space shall be considered in schools that are occupied by Division students, providing the operation of the school is not disturbed. Such leases shall be for a term of one school year or less and shall be reviewed annually;
  - 8.2 A lease agreement, may be granted, for an initial term of five years, provided the Division retains a termination clause allowing termination of the agreement upon one year's notice;
  - 8.3 All costs shall be recovered;
  - 8.4 If the leasee is profit oriented, a private school, or a government agency, the maximum lease rate shall be obtained;
  - 8.5 All leases are subject to the Joint Use Agreement;
  - 8.6 All tenants in operating schools must abide by Division policies;
  - 8.7 All lease space shall be callable as needed by the school board to be used for educational purposes;
  - 8.8 The Board shall not compete in the provision of property leases for these operations to private day care operators;
  - 8.9 Under special circumstances the Board may lease space on an extended basis during the summer months;
  - 8.10 The leasee shall provide liability insurance for their operations in the amount requested by the Board.

The Board delegates to the Superintendent the authority to develop the procedures necessary to implement this policy.

### References

Education Act: 193